

Chapter 2 Administration

10.201 General rules

10.201.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes, if not in conflict with state law.

10.201.2 Compliance

Firms or entity can use, occupy, develop, extend, convert or alter land or structures only if that use, occupancy or development complies with this code and other applicable regulations.

10.201.3 Authorization for development

Development can begin only with authorization as required by this code.

10.201.4 Creation of nuisances

Nothing in this code permits establishment or maintenance of public or private nuisances.

10.201.5 Previous violations

This code does not validate or legalize any land use or structure established, constructed, developed or maintained that violated a previous land use code, ordinance, regulation, easement, covenant, agreement, plat, deed restriction or other restrictive covenant in effect before the effective date of this code.

10.202 Definitions

10.202.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes; definitions in SmartCode Section 7 supersede.	Yes

10.202.2 Definitions

General abbreviations, terms and definitions used throughout this code are included in this section.

Terms used in this code are interpreted as their generally accepted meaning in the practice of planning, and any specialized professions depending on the topic of the subsection (for example, landscape architecture and forestry in sections dealing with landscaping). For ease of use, commonly used terms in this section are clarified below. These terms carry the same meaning throughout this code.

< (X) less than (X), under (X), below (X)
no more than (X) at most, less than or equal to (X), up to (X), (X) or less

greater than (X) more than (X), above (X)
 at least (X) at least , more than or equal to (X), (X) or more

AASHTO	American Association of State Highway and Transportation Officials
ac	acre
ADA	Americans With Disabilities Act
age or agr	agricultural
BR	bedroom
cm	centimeters
CMU	concrete masonry unit
comm	commercial
cu ft, ³	cubic foot/feet
cu m, m ³	cubic meters
db	decibel
DBH	diameter at breast height
den	density
DS	Development Services
DU	dwelling unit
FAR	floor area ratio
fps	feet per second
ft, ‘	foot, feet
GD	gross density
GFA	gross floor area
gph	gallons per hour
gpm	gallons per minute
ha	hectares
hp	horsepower
in., “	inches
ISR	impervious surface ratio
ITE	Institute of Transportation Engineers
lbs	pounds
LSR	landscape surface ratio
m	meters
max	maximum
min	minimum
n/a	not applicable
OSR	open space ratio
PZ	Planning and Zoning Commission
PL	property line
psi	pounds per square in.
PW	Public Works
rd	road
res	residential
ROW	right-of-way
rpm	revolutions per minute
SF	single family
SIC	Standard Industrial Classification Code
sq ft, ²	square foot/feet
sq m, m ²	square meters
st	street
TCEQ	Texas Commission on Environmental Quality
UDC	Unified Development Code
VTCA	Vernon's Texas Codes Annotated
ZBA	Zoning Board of Adjustment

Definitions for permitted land uses are in Chapter 3 (Land use standards).

Abandonment: to stop use of property intentionally. Abandonment of use is presumed when use of a property has stopped and the property is vacant for 90 days.

Abutting: having a common border with or being separated from a common border only by an alley, easement or right-of-way.

Access: method of approaching or entering a property.

Adjacent: abutting and directly connected to or adjoining the subject property.

Alley: minor right-of-way, dedicated to public use, giving secondary access to the back or side of abutting properties, and not intended for general traffic circulation.

Anchor store: major store in a shopping center, such as a department store, supermarket, or other retail store, prominently located to attract customers who are then expected to patronize other shops in the center.

Antenna tower: freestanding structure, including monopole, guyed and lattice towers, designed and constructed primarily to support antennas and transmitting and receiving equipment.

Antenna: exterior transmitting or receiving device used in telecommunications that radiates or captures radio signals.

Arcade: covered passageway, which may be exposed on one side. A series of disconnected canopies or awnings is not an arcade.



Arcade



Not an arcade

Arch: curved structure built where parts support each other by mutual pressure and can sustain (or visually appear to sustain) a load, of the foot, the part from head to toes of the body structure, normally having an upward curve.

Architectural shingles: asphalt shingles that are thicker and heavier than normal three-tab shingles. The thickness creates a depth characteristic of wood shingles or shakes.

Arterial street: street designed to provide connections between municipalities or major highways.

Art: object created primarily for aesthetic purposes and valued for its beauty or expressiveness; specifically, painting, sculpture, drawing, watercolor, graphics, or architecture.

As-built plans: certified construction plans specifying how public improvements required for the subdivision were actually constructed.

Awning: projecting shading device, usually of canvas, mounted outside of a door or window.



Awnings (above windows)

Balcony: platform projecting from the wall of an upper-story enclosed by a railing or balustrade, with an entrance from the building and supported by brackets, columns or cantilevered out.

Base flood: flood having a 1% chance of being equaled or exceeded in any given year.

Belt course: molding or projecting course running horizontally along the face of a building.



Belt course

Berm: earthen mound designed to provide visual interest, screen undesirable views, decrease noise, and/or control or manage surface drainage.

Block: area of land bounded entirely by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or other barriers to the continuity of development.

Block length: distance measured along rear property lines between intersecting streets.

Bond: form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to City Council.

Buffer: open spaces, landscaped areas, fences, walls, berms, or any combination used to physically separate or screen one use or property from another to visually shield or block noise, lights, or other nuisances.

Building: structure enclosed in exterior walls, built, erected and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for shelter of persons, animals, or property.

Building area: total area enclosed by a line formed by the outside surface of all walls at the foundation line.

Building coverage: area of a lot covered by buildings (principal and accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections, other than open porches, fire escapes, canopy areas and the first 2 ft. of a roof overhang.

Building envelope: area on a lot where a building may be built, enclosed by the minimum required front yard, side yard and rear yard.

Building front: exterior wall of a building facing an adjacent street right-of-way.

Building form: shape and structure of a building as distinguished from its substance or material.

Building lot: platted and deeded parcel of land legally approved for development.

Building mass: three-dimensional bulk of a building height, width, and depth.

Building scale: size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.

Building, temporary: building permitted to occupy a site for one year or less. Temporary buildings include, but are not limited to, mobile offices and on-site storage buildings for materials, equipment and supplies during construction of a permanent building, structure or subdivision; buildings, booths, or canopies erected or occupied for seasonal or special events, such as vendors selling food services, souvenirs, and other merchandise to the public; and temporary quarters for night watchmen, caretakers, nurses, servants, janitors, and emergency workers during an emergency.

Built environment: totality of all humans have changed or rearranged in the natural environment.

Caliper: American Association of Nurserymen standard for nursery stock trunk measurement, measured at six in. above the ground for trees no more than 4 in. (caliper size, and measured at one foot above the ground for larger sizes).

Canopy (structure): roof structure constructed of rigid materials, attached to and supported by a building, or which is freestanding and supported by columns, poles, or braces extended to the ground. A canopy generally has limited vertical surface area; and is generally supported by vertical elements rising from the ground at two or more corners.

Canopy (tree): aerial cover formed by crowns of a group or (urban) forest of trees. The canopy of an individual tree is the extent of the outer layer of its crown.

Canopy tree: tree in a grouping or (urban) forest forming a canopy.

Casement: window sash that opens on hinges at the sides.

Ceiling: inside lining of a room or canopy overhead.

Central Business District: Blocks 3, 4, 5, and 6 of the Railroad Addition of the City of Hutto Official Revised Map, as approved and adopted April 6, 1954.

Certificate of appropriateness: document approving work on local landmarks or properties in historic districts based on consistency with applicable design guidelines or standards.

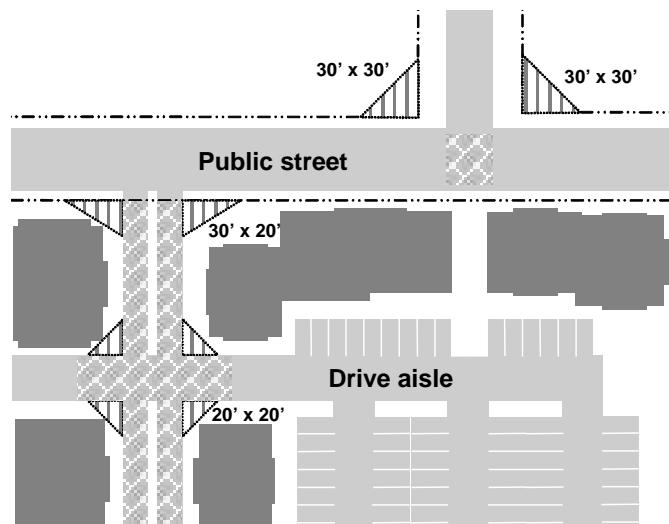
Character: attributes, qualities and features making up and distinguishing a place or development project and give it a sense of purpose, function, definition and uniqueness.

Circulation: systems, structures, and physical improvements for movement of people and goods by streets, highways, sidewalks, and other paved improvements.

City: City of Hutto, Texas.

City Council: City Council of the City of Hutto, Texas.

Clear vision area: unobstructed view area at corner lots and curb cuts. The clear vision area is a triangle formed between points on flow lines following property lines 30 ft. from an intersection at a corner lot, and 20 ft. along a property line and a traffic lane edge at a curb cut.



Code enforcement officer: designated duties are to cause property owners and others responsible for buildings and related land uses to bring their properties up to standards required by state law or city ordinance with a penalty of a fine and/or jail time.

Co-development: two or more wireless service providers working together to develop a single wireless facility.

Co-location: locating wireless communications equipment for two or more wireless providers on one structure.

Collector street: street collecting traffic from local streets and serving as the most direct route to an arterial street.

Commercial center or shopping center: development having common ownership, management, maintenance, parking, landscaping, signage, loading areas, access aisles and/or other related improvements, with three or more separate businesses, retail establishments and/or tenant spaces.

Community recreational facilities: parks, playgrounds and community buildings owned and/or operated by the city or other governmental agency, country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.

Colonnade: series of columns at regular intervals.

Column: upright support in a building, usually with a decorated base and capital.

Commercial development: land development activity, except that intended only for residential, civic, industrial and/or light industrial use.

Community service: uses of a public, nonprofit, or charitable nature providing professional service of an ongoing education, training, or non-correctional counseling to the general public, on a regular basis, without a residential component. Typical uses include libraries, museums, senior centers, community centers, youth club facilities, and social service facilities. This term excludes soup kitchens.

Compatibility: characteristics of different uses or activities or design allowing them to be placed near or next to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Landscaping, lighting, noise, odor and architecture are other important characteristics affecting compatibility. Compatibility does not mean "the same as," but rather refers to the sensitivity of development proposals in maintaining the character of existing development.

Concept plan: generalized plan showing boundaries of a parcel under common ownership, and identifying proposed land use, general lot or parcel layout, community use or public areas, land use intensity, and street alignments.

Condominium: form of real property ownership combining separate ownership of individual apartments or units with common ownership of other elements such as land or accessory buildings.

Connecting walkway: sidewalk or walkway directly connecting a main entrance of a building to a street sidewalk without requiring pedestrians to walk across parking lots or driveways, around buildings or around parking lot outlines not aligned to a logical route.

Concrete masonry unit: manufactured masonry type known to the industry as CMU, architectural concrete masonry, split face block, split scored block, fluted block, ribbed masonry units and ground face masonry units. These units are manufactured under controlled conditions in a variety of colors and combinations.

Construction plan: maps, drawings, plans and specifications showing the proposed location and design of installed subdivision improvements.

Contributing structure or site: structure or site adding to the historical integrity or architectural qualities making a historic district significant. A contributing structure or site helps make a historic district “historic”.

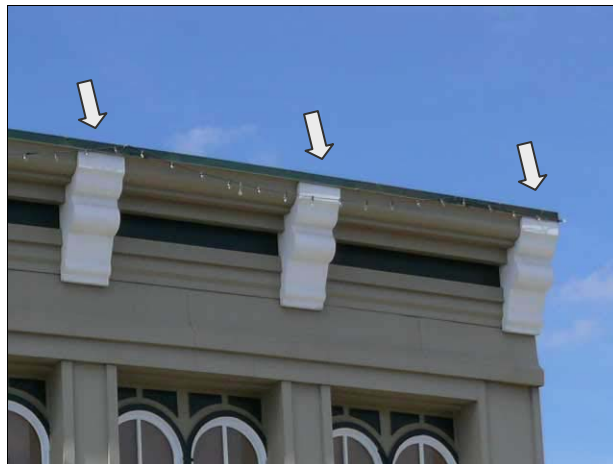
Contiguous: adjacent property whose property lines is shared or separated by only a street, alley, easement or right-of-way.

Coping: highest or covering course of masonry in a wall, often with sloping edges to carry off water.



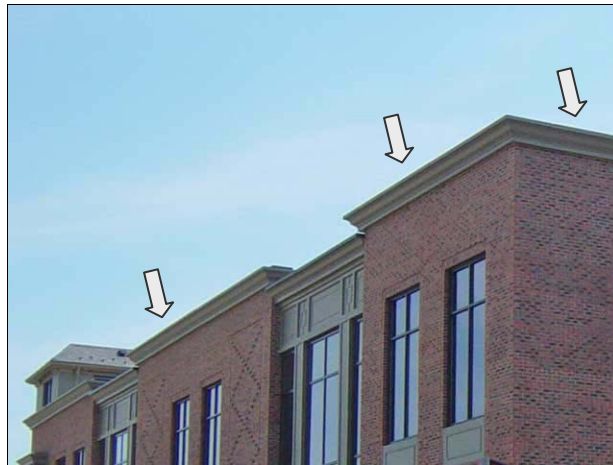
Coping

Corbel: bracket supporting a superincumbent object, or receiving the spring of an arch. A common form of corbel consists of courses of stones or bricks, each projecting slightly beyond the next below it.



Corbel

Cornice: decorative overhang or molding located at the junction where a roof overhangs exterior walls.



Cornice

County: Williamson County, Texas or where applicable, Travis County, Texas.

County appraisal district: Williamson Central Appraisal District.

Covenant, deed restrictions: clause placed in a deed of a property limiting or restricting its use. The city does not enforce covenants.

Coverage: lot area covered by principal and accessory buildings, including the area covered by hanging roofs.

Critical feature: integral and readily identifiable part of a flood protection system, without which flood protection given by the entire system would be compromised.

Curb line: line at the face of the curb nearest to the street or street. In there is no curb, the curb line is the edge of pavement, if there is no shoulder, otherwise to the edge of the shoulder, or as established by the city engineer or Development Services staff.

Cul-de-sac: street with only one point of access, usually with a circular area or “bulb” at the end to allow vehicles to turn around.

Dedication: transfer of property interests from private to public ownership for a public purpose.

Density, gross: number of dwellings divided by the gross area of the land, normally expressed as gross units per acre or gross dwellings per acre. Gross area of the land is the sum of the area of the building site, plus the area of traversing streets, alleys, parking lots and drives, plus one-half the area of bounding streets, plus one-quarter the area of bounding street intersections.

Density, net: number of dwellings divided by the net area of the land, normally expressed as net units per acre or net dwellings per acre. Net area is the land of the building sites where dwellings are or will be built.

Demolition by neglect: neglect in maintaining, repairing, or securing a building or structure which results in deterioration of an exterior feature, or loss of structural integrity.

Design guidelines: guidelines recommended by the Historic Preservation Commission applying to property in an historic landmark district, meant to protect and enhance the historical, cultural, architectural, or archeological character of the district.

Design storm: selected storm event, described in the probability of occurring once in a given number of years, used to find a design flood or design peak discharge, design drainage facilities, and find flood elevations.

Design, street: street location, street alignment, street width and grades, easement alignment, easement grades and widths, drainage and sanitary sewer alignment and right-of-way, and designation of minimum lot area, width and length.

Detailing (architectural): architectural or structural design elements that focus on decorative elements of a small section of a comprehensive building design.

Developed area: portion of a lot, easement, or parcel occupied by buildings, structures, pavement or other improvements.

Developer: legal owner of the land to be improved and/or subdivided, or authorized representative of the owner.

Development: division of a parcel into two or more parcels; construction, reconstruction, conversion, structural alternation, relocation, or enlargement of buildings or structures; use or change in use of buildings or land; and/or extension of use of land or clearing, grading, excavation or other movement of land, for which permission may be required under this code. Includes reconstruction, alteration of the size, or material change in the external appearance of a structure; changes in intensity of land use; alteration of shores or banks of ponds, lakes, creeks or streams; and excavation for construction, moving, alteration, or repair, except ordinary repairs, of any building or other structure, including an accessory structure, greater than 100 sq. ft. in area.

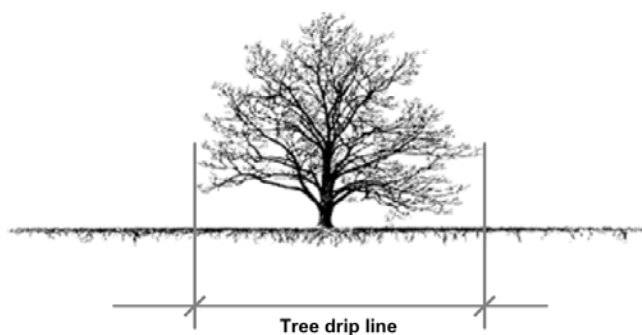
Diameter at breast height (DBH): tree trunk diameter, measured 4.5 ft. (54 in.) from the ground.

District: zoning district, PUD district, or SmartCode transect.

Dormer: gabled extension built out from a sloping roof to accommodate a vertical window.

Downtown: area inside the boundaries of the 1911 original incorporated City of Hutto.

Drip line: outermost limit of branches on a tree, extended straight down to the ground.



Drive aisle: lane in a parking lot devoted to the passage of vehicles, as opposed to the parking stalls. This term excludes lanes used only or primarily for queuing and stacking.

Drive, connecting: extension of an internal drive that links the internal drive with a similar internal drive extension from an abutting building lot at the common lot line.

Drive, external: extension of an internal drive that links the internal drive with a public street, an alley, or an approved private street.

Drive, internal: vehicular access to parking and loading spaces located in a given building lot.

Driveway: private street providing vehicular access to a parking space, garage, dwelling, or other structure.

Driveway approach, drive approach: paved surface connecting the street to a front lot line.

Dry camping: camping in an area without water, electricity and sewage hookups, including parking lots or driveways. Also called *boondocking*.

Dumpster: large container designed to receive and transport waste. The term encompasses front loader and rear loader containers, and roll-off debris containers. The term is a genericized trademark of the Dumpster brand.

Dwelling unit: residential unit designed to accommodate one household.

Easement: grant by the property owner of a strip of land for stated purposes.

Eave: roof edge that extends out past the exterior wall line.



Eave

Elevation: external faces of a building; also a mechanically accurate, “head-on” drawing of any face (or elevation) of a building or object, without allowance for the effect of the laws of perspective.

Environment: aggregate of social and physical conditions that influence the life of the individual and/or community.

Erected: includes the terms “constructed,” “moved,” “located,” or “relocated.”

Escrow funds: deposit of cash or other approved security with the local government or approved bank or other financial institution instead of a performance or maintenance bond.

Exterior Insulation and Finish Systems (EIFS): building product providing exterior walls with an insulated finished surface, and waterproofing in an integrated composite material system. Also known as synthetic stucco.

Extraterritorial jurisdiction (ETJ): limits of the city's extra-territorial jurisdiction now or in the future as granted under Chapter 43, Local Government Code, as amended.

Façade: sides of a building that face a street, drive or other open space.

Façade, front: front or principal face of a building, generally defined by the location of the majority of public entrances into the building.

Fascia: vertical surface that spans across the top of columns or across the top of a wall.



Roll-formed metal fascia. Photo by Bill Bradley.

Fence: barrier built to enclose or screen a certain area.

Fence, chain link: fence made of wire loops interconnected in a series of joined links.

Fence height: distance from the top of the fence or wall to the original finished grade of the lot directly under it. Berms, walls or similar features constructed for increasing the height of a fence or wall are considered a part of the fence or wall.

Fence, ornamental: wrought iron, simulated wrought iron, picket top or rail top heavy gauge wire, or similar style of fence with thin metal or plastic pickets that provides a very high (at least 75%) level of transparency. Chain link fences are not considered ornamental fences.

Fence, picket: fence made of upright pickets supported by horizontal rails providing a medium level ($\pm 30\%$ -75%) of transparency.

Fence, plastic: fencing made from a base of polyvinyl chloride (vinyl, PVC) or high-density polyethylene (HDPE).

Fence, privacy: solid board (stockade), board on board (shadowbox), lattice top, tongue and groove, basket weave, or similar style of fence that is visually solid or has a very low level (no more than 25%) of transparency. Includes semi-privacy fences.

Fence, ranch: split rail, post and rail, crossbuck, or similar open style of fence that provides a very high level (at least 75%) of transparency.



Ranch (post and rail) fence



Ranch (split rail) fence

Photo by Derek Jensen. Use per Creative Commons license.

Fence, shrubbery hedge: fence or wall made of deciduous or evergreen shrubs.

Fence transparency: percentage of fence length that can be seen through; length of open spaces in fence, compared to pickets, posts, columns and wires.

Fence, wood frame wire: fencing made of heavy gauge wire mesh, hog wire, or cable rail mounted in a wood frame.

Fenestration: arrangement and design of windows and doors in a building.



The pattern of windows on East Street in downtown Hutto is an example of interesting fenestration.

Final plat: map of a land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other dimensions of land.

Flex space building: building designed to be versatile, which may be used in combination with office, research and development, quasi-retail sales, and including but not limited to industrial, warehouse, and distribution uses.

Flood insurance rate map (FIRM): official map of a community from the Federal Emergency Management Agency (FEMA) that delineates areas of special flood hazards and applicable risk premium zones.

Flood insurance study (FIS): official report from the Federal Emergency Management Agency (FEMA) with flood profiles, water surface elevation of the base flood, and the flood boundary-floodway map.

Flood protection system: physical structural works intended to modify flooding to reduce the extent of areas in a community subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system usually includes hurricane tidal barriers, dams, reservoirs, levees or dikes. Specialized flood-modifying works are those constructed in conformance to sound engineering standards.

Floodplain or flood prone area: channel of a waterway and the adjacent land area subject to inundation during the design storm.

Floodplain management: program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations: standards for flood damage prevention and reduction.

Floodproofing: combination of structural and nonstructural additions or changes to structures that reduce or prevent flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (regulatory floodway): channel of a river or other watercourse and adjacent areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floor area ratio: amount of gross floor area of principal buildings on a lot or block divided by the total area of the lot or block where the buildings are placed.

Footprint: ground area covered by a structure, including the foundation and areas enclosed by exterior walls and footings.

Frontage: width of a lot or parcel abutting a public right-of-way measured at the property line.

Formula business: retail stores, restaurants, hotels and other establishments that are required by contract to adopt standardized services, methods of operation, decor, uniforms, architecture or other features almost identical to locations in other communities.

Gable: portion at the end of a building between the eaves and the peak of the roof. Roof type determines the gable shape. A typical gable roof forms a triangular shape.

Garage: accessory building or part of a main building primarily used for motor vehicle storage. A garage differs from a carport by being enclosed on more than three sides, so a stored or parked vehicle is located entirely inside the building.

Gated community: residential neighborhood, subdivision, street or area with controlled entrances for pedestrians, bicycles, and automobiles, usually characterized by a closed perimeter of gates, walls and fences.

Grade (as related to adjacent ground elevation only): lowest point of elevation of the existing surface of the ground, in the area between the building and a line 5 ft. from the building.

Grade (as related to slope only): slope of a street, other public way or utility line given in percentage; the topographic relief of a parcel of land.

Grading: disturbing, moving, removing, transferring, or redistributing soil or earthen surfaces.

Greenlink: small park that provides a pedestrian connection through the middle or end of a block.



Greenlink

Green roof: roof that is partially or completely covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane.

Gross floor area (GFA): total floor area designed for tenant occupancy and exclusive use, including mezzanines and upper floors (if any), measured from centerlines of joint partitions and exteriors of outside walls.

Groundcover: plants such as grasses and/or other low-growing plants grown for ornamental value and ability to protect soils from eroding. This term excludes weeds or invasive plant species.

Height, building: vertical distance from the average grade level adjoining the building to either the top of a flat roof, the deck lines for a mansard roof, or the average height between eaves and ridge for gable, hip and gambrel roofs.

Height, antenna tower: distance from the finished grade at the antenna tower base to its highest point. Overall antenna tower height includes the base pad, mounting structures and panel antennas, but excludes lightning rods and whip antennas.

Hip roof: roof with sloped ends rather than vertical ends.

Historic landmark: place with outstanding historical and cultural significance in the state, region, or community. The designation recognizes the historic place, or the buildings, structures, accessory buildings, fences or other appurtenances are of basic and vital importance for cultural preservation and tourism development.

Historic preservation officer: city staff member appointed by City Council to serve as staff liaison to the Historic Preservation Commission (HPC).

Historic significance: importance given a property or district evaluated to meet designation criteria. Property with a principal structure classified as “noncontributing” is not considered to have historical significance.

Historic structure: structure that is:

- Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior) or found by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- Certified or preliminarily found by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district found by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs approved by the Secretary of the Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that are certified either by an approved state program as decided by the Secretary of the Interior; or the Directly by the Secretary of the Interior in states without approved programs.

Host building: dominant building on a site, in context to an accessory use or structure, or site amenity.

Impervious surface: surface or area that does not allow the passage of water through the surface and into the ground.

Improvement: man-made, immovable item that becomes part of, is placed on or is added to real estate.

Improvement (context of subdivision): street, alley, street, barricade, sidewalk, bikeway, pedestrian way, water line system, wastewater system, storm drainage network, public park land, landscaping, or other facility for which the local government may ultimately assume responsibility for maintenance and operation or which may affect an improvement for which local government responsibility is established.

Infrastructure: man-made structures that serve the common needs of the population, such as potable water systems; wastewater disposal systems; solid waste disposal sites or retention areas; storm drainage systems; electric, gas or other utilities; bridges; streets; bicycle paths or trails; pedestrian sidewalks, paths or trails; and transit stops.

Irrigation system: permanent, automatic, underground water system designed to transport and distribute water to landscape plants.

Junk: scrap, waste, worn-out discarded material, goods or debris collected or stored for destruction, disposal, or some other use. This includes but is not limited to scrap metal, inoperable vehicles and parts, construction material, household wastes, garbage, discarded appliances and furniture, and yard debris.

Landmark: structure of unusual historical and usually aesthetic interest.

Landscape: area of land with its component landforms, geology, aquatic features, atmosphere and associated biodiversity, affected by continuing natural processes and often modified by human activities.

Landscaping: combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and structural features such as walkways, fences, benches, works of art, reflective pools, fountains or the like. Landscaping also includes irrigation systems, mulches, topsoil use, soil preparation, re-vegetation or the preservation, protection and replacement of existing trees.

Landscaping area: areas on the site that are not covered by buildings, structures, paving or impervious surface. Landscape areas consist of only landscaping.

Legal lot: lot recorded in the official county records pursuant to and in conformance to the subdivision regulations in effect when it was created.

Legally platted lot: lot that is part of a subdivision, approved by the city and recorded in the official county records (also called lot of record or recorded lot).

Letter of credit: letter from a bank or other reputable creditor acceptable to the city that guarantees that if a subdivider or developer fails to fulfill any improvement requirements, at the city's request funds will be provided to the city to complete the specified improvements.

Light, window: opening in a window between mullions.

Loading space: off-street space for parking of a vehicle while loading or unloading merchandise or materials.

Local street: minor street designed only to provide access.

Loggia: gallery open or with a colonnade along one side.

Lot: designated parcel having fixed boundaries, legally established by plat or subdivision, abutting a dedicated right-of-way, private street or private drive.

Lot, corner: lot bounded by two or more intersecting streets with an intersection angle of intersection of no more than 135°. Intersecting streets cannot be the same street. In determining the angle of intersection for a rounded corner, straight lines are drawn as extensions of both street lot lines. Calculation of the angle of intersection is made from the side facing toward the lot at the point where these two extensions meet.

Lot, double frontage: interior lot with frontage on two streets, usually on opposite ends of the lot.

Lot, flag: lot shaped like a pole-mounted flag, where access to a street is provided along the long, narrow "flag pole" and the usable land itself is the rectangular flag at the end of the pole.

Lot, interior: lot other than a corner lot.

Lot line: recorded boundary line defining a lot or parcel.

Lot line, front: property line separating a lot from the street. For corner lots, the front lot line is the shorter of the two lot lines separating the lot from the public right-of-way. For double-frontage lots, the front lot line is the line crossed for primary access to the property.

Lot line, interior: lot line not abutting a street.

Lot line, rear: property line opposite the front lot line. For corner lots, the rear lot line is the property line that runs roughly parallel to the rear façade of a structure.

Lot line, side: property line that is not a front or rear property line, which runs roughly perpendicular from the front or rear property line.

Low pressure sewer service: private grinder pump facilities or private septic tank effluent pump facilities that do not convert to gravity flow at or before the property line.

Manufactured housing unit: dwelling unit constructed in conformance to Federal Manufactured Housing Construction and Safety Standards (HUD code) in effect after June 15, 1976.

Masonry: construction composed of small units of bricks or blocks made from stone, clay, concrete, tile and similar materials, and stone and cement-based products that match the appearance of natural stone. Masonry units are usually joined by cement mortar mixture. In the context of this code, masonry does not include EIFS and tilt-up/precast concrete panels, but does include cement stucco and fiber-cement siding (hardy board).

In some cases (some fences, surface of industrial buildings), split-face concrete masonry units are permitted where masonry is specified. In other cases (masonry as a required dominant surface material on commercial structures, optional elements on residences), large (8" x 16") CMU block is excluded as masonry material.

Mechanical commercial use: any of these uses:

- Class 1, 2 and 3 large item sales, as defined in Chapter 2.
- Businesses whose primary function is the sale, rental, servicing, repair, cleaning, fueling and modification of motorized vehicles and/or items powered by liquid and gas fuel powered engines, and related parts and accessories.
- Businesses whose primary function is the sale, rental, servicing, repair, cleaning, and modification of products and raw materials primarily intended for use by the construction industry, landscape contractors and skilled mechanical trades.
- Wholesale businesses not catering to the public.
- Retail businesses where 20% or more of the business trading or floor area is outdoors or not in a fully enclosed building.

Modular house: factory-built house, other than a manufactured home, that meets the following requirements:

- Designed only for erection or installation on a site-built permanent foundation.
- Not designed to be moved after installation.
- Designed and manufactured to conform to a nationally recognized model building code or an equivalent local code, or with a state or local modular building code recognized as generally equivalent to building codes for site-built housing; or
- To the manufacturer's knowledge, is not intended for use other than on a site-built permanent foundation.
- Includes a "modular component" of a structure defined in V.T.C.A., Occupations Code, Section 1202.001.

Mullion: structural element that divides adjacent window units or panes.

Natural features: trees, springs, water bodies, view corridors, open spaces, and other regions of key environmental importance.

Natural state: substantially the same conditions of the land that existed before development, including but not limited to the same type, quality, quantity and distribution of soils, ground cover, vegetation and topographic features.

Neighborhood: area of the city characterized by residential land uses bounded by physical (such as river, major street, back of access) and/or political features (such as voting districts, subdivision boundaries).

Non-contributing structure: a structure that does not add to the historical or architectural qualities of the district either because it was not present during the time of significance, or because of alteration so extensive it is no longer recognizable as having been present during the time of significance.

Nonconforming use: use, building or structure established legally but now not conforming to this code.

Off-site improvement: required improvement outside of the property being developed.

One-hundred-year flood plain: land anticipated to be covered by water during a 100-year flood.

On-street parking: designated permanent parking areas in the public right-of-way.

Ordinary maintenance and repair: work intended to correct deterioration, decay, or damage, including repair or damage caused by fire or other disaster and does not result in a change in the existing appearance and materials of a property, nor significantly extends its lifespan. Examples of this work include, but are not limited to:

- Caulking or reglazing windows.
- Minor repairs to windows, doors, siding, gutters, trim, and similar features.
- Replacement of existing mechanical equipment.
- Repairing or repaving of flat concrete work in side and rear yards.
- Repairing or repaving of existing front yard paving, concrete work and walkways, if the material is the same or similar in appearance.
- Roofing, foundation and/or chimney work, if no change in appearance occurs.

Orient: to bring in relation to, or adjust to, the surroundings, situation or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position.

Overland drainage: runoff not confined by natural or manmade channels such as a creek, drainage ditch, storm sewer, or the like.

Owner: person having the right of legal title or beneficial interest in or a contractual right to buy a parcel of land. For providing notices required by this code, the owner is the person who last paid taxes on any parcel as identified by county property tax records.

Parapet: low wall or railing built along the edge or roof or a floor.



Parapet wall topped by decorative brickwork and coping

Parcel: legally described area of land consisting of one or more lots, depending on the context where the term is used.

Park fund: special fund established by the city to keep monies paid by developers in conformance to the payment instead of parkland dedication provisions of these regulations and used to buy parkland or improvements.

Parking lot: off-street parking area or vehicular use area.

Paved area: area surfaced with asphalt, concrete or similar all-weather surface, not including gravel.

Pedestrian way: right-of-way dedicated to public use that cuts across a block to allow pedestrian access to adjacent streets and properties.

Permanent foundation: exterior wall and necessary support columns or piers designed to support a building for the usable life of that structure. The exterior wall of a permanent foundation must conform to foundation standards of the building code.

Person: includes the words individual, partnership, firm, corporation, association, governmental body and other legal entities, or their agent.

Pilaster: square column, partly built into, but partly projecting from a wall.

*Pilasters*

Planned unit development (PUD): residential, manufactured housing, or commercial subdivision, guided by a total design plan where certain zoning or subdivision regulations, other than use regulations, may be waived or varied to allow flexibility and creativity in site and building design and location, in conformance to general guidelines.

Planning and Zoning Commission: Planning and Zoning Commission of the City of Hutto, Texas.

Porous concrete: concrete with open voids that give the material porosity and permeability.

Porous pavement: durable surface allowing easy passage of water through interstices or pores. Porous pavement includes segmental unit pavers, Turfstone™, Turfblock™, and similar concrete products.

Portico: colonnade or covered ambulatory at the entrance to a building.

*Portico*

Preapplication conference: formal meeting between a developer or subdivider and city staff to discover the rules, deadlines, forms and process for obtaining approval of the proposed development of land.

Preliminary plat: map of a proposed land subdivision showing the character and proposed layout of the property in sufficient detail to show the subdivision's suitability.

Primary building: building or structure on a lot used to accommodate the primary permitted use, the use possibly occurring in more than one building or structure.

Prefabricated building: type of building that consists of one or more factory-built units that are assembled on-site to complete the unit. The term also encompasses modular buildings, pre-engineered buildings and “metal buildings”.

Property line: line bounding a parcel that divides one parcel from another or from a street or other public or private space (same as “lot line”).

Public facilities: transportation systems or facilities, parks and recreation and/or natural area program systems or facilities, water systems, wastewater systems, storm drainage systems, fire, police and emergency systems or facilities, electric utilities, gas utilities, cable facilities or other public utilities.

Public use: uses intended to be conducted in a facility or on land owned by and operated for public use by a public agency or by city, county, state or federal governments.

Quoin: selected pieces of material marking the building corner. In stone, the quoins consist of blocks larger than those used in the rest of the building, and cut to dimension. In brickwork, quoins consist of groups or masses of brick laid together, and in a certain imitation of quoins of stone. With EIFS (Exterior Insulation Finish System), quoins are trim details with the appearance of corner stones.



Quoin

Rafter: parallel beams supporting a roof (similar to how joists support floors and ceilings).

Rearage road: minor street or access road next to an arterial route, at the rear of a parcel, intended to control access to an arterial route, connect contiguous parcels, and give access to parcels without curb cuts on the arterial route.

Reconstruction: depicting, usually by new construction, the form, features and detailing of a nonsurviving site, landscape, building, structure, or object for replicating its appearance at a specific time and in its historic location. The reconstruction process involves the recreation of a replica of a building or facility that no longer exists on its original site based on archaeological, historical, documentary, and physical evidence. A reconstruction project may use both modern and traditional construction techniques.

Reflective surface: material or device with the effect of intensifying reflected light, such as highly polished metal, scotch light, day glow, glass beads, and luminous paint.

Regulatory 100-year floodplain: one-hundred-year floodplain defined by the Federal Emergency Management Agency (FEMA).

Reserve strip: parcel of ground located usually at the edge of a subdivision that restricts access from the end or side of a street or right-of-way.

Restoration: accurately depicting the form, features and character of a property as it appeared at a particular time by removal of features from other periods in its history and by reconstruction of missing features from the restoration period. The restoration process involves the careful and meticulous return of a building, usually on its original site, to its previous appearance.

Retention basin, dry: normally dry retention basin, designed to fill with runoff water to be treated, drained to another basin or pond, or absorbed into the ground.

Retention basin, wet: retention basin with a permanent pool of water in addition to the added treatment volume. The permanent pool of water and anaerobic environment in sediments enhance the removal of many pollutants.

Reveal: side of an opening for a window, doorway, or the like, between the door frame or window frame and the outer surface of the wall, or where the opening is not filled with a door.

Right-of-way: strip of land occupied or intended for occupancy by street, walkway, railroad, electric transmission line, or oil or gas pipeline, water main, sanitary or storm sewer main, or for other similar purpose or use.

Right-of-way, public: right of way permitting the public to travel over it, such as a street, sidewalk, or footpath.

Road: see *street*.

Sash: window framework where glass panes are set.



Window sashes

Sense of place: collection of elements in the built and natural environment adding up to a feeling that a certain geographic area or community is a special place, distinct from anywhere else. Sense of place is a factor making an environment familiar and psychologically comfortable.

Services: programs and employees necessary to provide adequate operation and maintenance of its public facilities and infrastructure, including educational, health care, social and other programs necessary to support the programs, public facilities and infrastructure required by this code, the Code of Ordinances, policies and administrative manuals, or state or federal law.

Setback: distance measured perpendicular (90°) from a property line or right-of-way line to a building.

Setback, antenna: distance between a property line and the antenna structure footprint; including antennas, reflectors, dishes and other appurtenances.

Setback, front yard: distance measured perpendicular (90°) from the front property line, right-of-way or private street boundary line to a structure.

Setback, rear yard: distance measured perpendicular (90°) from the rear property line to a structure.

Setback, side yard: distance measured perpendicular (90°) from the side property line to a structure.

Illustrations of setbacks for various types of lots are included at the end of this section, with the definitions for *yards*.

A *setback* is a distance between a property line and the limit for construction on a parcel. A *yard* is the area between a structure and the property line.

Shrub, native: shrub of a species native or well adapted to Central Texas (as defined by an arborist or state agency), known for attracting wildlife and their ability to grow in their native setting with no irrigation once established. Shrubs are defined as woody plants that with a bushy form.

Sign: device or structure used to advertise, identify or direct attention to an object, person, institution, business, product, service, event or location by any way; including words, designs, symbols, fixtures, colors, illumination, images and forms.

Sign, a-frame: sign made of two faces joined at the top with a hinge and widened for support at the bottom to form a side profile similar to the letter "A". This type of sign is also called a "sandwich board".

Sign, attached: sign partially or wholly supported by a building wall or roof.

Sign, awning: attached sign displayed on an awning.

Sign, banner: attached sign made of a non-rigid, flexible material such as cloth, paper or vinyl.

Sign, billboard: sign not otherwise addressed in this article that is freestanding, attached to, or part of a building, and is an off-premises sign that promotes or advertises ideological expressions and/or commodities or services not being offered on the premises on which the sign is located, and exceeds height and size restrictions for the designated location whether on or off premises.

Sign, box: attached, internally illuminated sign enclosed in a square or rectangular structure or "can".

Sign, canopy: attached sign displayed on a freestanding or building-attached protective canopy.

Sign, development: sign identifying the name and/or logo of a residential subdivision, neighborhood, apartment or condominium complex or similar development on the same parcel.

Sign, directional: sign providing on-site directional help for the convenience of the public such as location of exits, entrances and parking areas.

Sign, electronic message center: computer controlled illuminated sign that displays information using a rearranged or variable sequence of electronically generated letters, words, light patterns, shapes, images or graphics. Electronic message centers are also known as electronic variable message centers (EVMC), changeable electronic variable message sign (CEVMS), LED signs, video signs, and digital signs. This term excludes price display at gas stations, and time and/or temperature display.

Sign face area: area of the smallest rectangle enclosing the extreme limits of the sign message, frame, box, and other areas intended to highlight or draw attention to the sign message. Back-to-back faces separated by at least a 30° angle are counted separately in measuring sign area.

Sign footprint: area occupying the outermost limit of a freestanding sign and the support structure extended straight down to the ground.

Sign height: distance from the sidewalk grade to the top of the sign.

Sign, freestanding: sign supported from the ground and not attached to a building.

Sign, garage sale: sign advertising a garage sale, or a fund raising event by a non-profit organization.

Sign, monument: freestanding sign attached on a mounting set flush to the ground.

Sign, mural: illustration without commercial messages or references painted on a structure.

Sign, nonconforming: sign built legally but now not conforming to this code.

Sign, open house: sign identifying or advertising an open house or similar event on or near the sign location.

Sign, personal opinion: sign expressing a noncommercial viewpoint or belief of the party displaying the sign.

Sign, pole: freestanding sign supported by one or more exposed poles.

Sign, portable: freestanding sign with no permanent footing, designed to be easily moved about.

Sign, projecting: attached sign projecting at an angle from a building wall.

Sign, pylon: freestanding sign supported by one or more exposed tubular poles.

Sign, sculptural: three-dimensional artwork functioning as a sign, with a theme or design relating or referring to the business or party displaying it. School mascot displays are not considered sculptural signs.

Sign, snipe or bandit: temporary off-premises sign or poster attached to trees, poles, stakes, fences, or other objects; a temporary sign placed on private property without the permission of the property owner; or a temporary sign placed by a private party in the public right-of-way or on public property. A-frame signs and garage sale signs permitted by this code are not considered snipe or bandit signs.

Sign, wall: attached sign mounted flush to the wall of a building.

Sign, window: attached sign applied to a window or located inside a window and intended to be seen from the outside.

Site-built building: building constructed at the building site. Although some components may be prefabricated off-site, the building is erected, framed, and finished by workers on location.

Slope: vertical change in grade divided by the horizontal distance over where that vertical change occurred. Slope is usually given as a percentage.

Solar power: The conversion of sunlight into electricity or energy either directly through photovoltaics or indirectly through concentrated solar power.

Street: public way (publicly or privately owned) used or intended for carrying vehicular, bicycle and pedestrian traffic. A street includes the entire area in the public right-of-way and/or access easement.

Street line: line limiting the right-of-way of the street with the property line of lots fronting on the streets.

Street tree: tree in the public right-of-way or tree lawn bordering the streets or trails of the city.

Story: set of rooms on one floor level of a building.

Story, half: space under a sloping roof that has the line of intersection of the roof and wall face no more than 3 ft. above the floor level, and in which space the possible floor area with head room of no more than 5 ft. occupies at least 40% of the total floor area of the story directly beneath.

Structure: combination of materials forming a construction for use, occupancy or ornamentation.

Structure, primary: structure where the primary use of the lot is conducted.

Structure/building, accessory: building other than the principal structure that is subordinate to and used for purposes incidental to those of the principal structure and/or use. This includes, but is not limited to swimming pools, decks, storage sheds, barbeque structures, detached garages, playscapes, tree houses and other similar buildings or structures.

Subdivision (noun): parcel divided or proposed for division into two or more lots, tracts, or parcels.

Subdivision (verb): legally dividing a parcel of land into two or more smaller lots, tracts, or parcels.

Textured pavement: pavement in the form of brick, paver blocks, or textured and colored concrete.

Time of significance: time when a property attained the significance for which it now meets the designation criteria for an historic landmark district designation.

Tract: parcel not indented for residential, commercial, or industrial occupancy. Tracts are intended as sites for subdivision entry features, commonly owned landscape areas, commonly owned private open space, utility substations, detention and retention ponds, and similar features.

Transparency: building wall length occupied by functioning doors and/or windows.



Transparency is the length of a building wall (L) occupied by windows at eye level ($T1+T2+T3+T4$)

Tree: self-supporting woody plant species which normally grows to an overall height of at least 15 ft.

Tree, diseased: tree weakened by disease, infestation, decay, age or fire, to an extent where there is a risk the tree may die in five years, split, fall, threaten the viability of healthy trees; and the problem cannot be fixed or healed through normal horticultural practices.

Tree, healthy: tree showing good structural integrity, free of serious diseases, and maintaining normal appearance appropriate to the species including size of tree and leaves, normal coloration, and displaying normal vigor and growth characteristics of the species. Health and condition are found per the most recent edition of the *Guide for Plant Appraisal*, an International Society of Arboriculture publication.

Tree, heritage: healthy native tall and small tress with a diameter at breast height of at least 24 in. Heritage trees are also considered protected trees.

Tree, inventoried: tree of a species on the approved tree list, at least 2.5 in. DBH, on a tree inventory for a parcel to be developed.

Tree lawn: area between the street and the sidewalk, or where no sidewalk exists, the area inside a 10 ft. distance away from the edge of the street. Also known as a “grass plot,” “boulevard strip,” “planting strip,” “nature strip” or “devil’s strip”.

Tree, native short: tree of a species native or well adapted to Central Texas (as designated in the landscaping standards), growing to no more than 30 ft. at maturity, known for attracting wildlife and their ability to grow in their native setting with no irrigation once established. Native short trees can be used below the canopy when they are shade-tolerant or as a low canopy in areas where large trees are not wanted or appropriate.

Tree, native tall: tree of a species native or well adapted to Central Texas (as designated in the landscaping standards), growing to at least 30 ft. at maturity, known for attracting wildlife and their ability to grow in their native setting with no irrigation once established. Native tall trees are intended to give shade and a canopy.

Tree, nuisance: tree of a species designated as “nuisance trees” in the landscaping standards; or an exotic tree not native to Central Texas, that may threaten the viability of native plant species and the integrity of the ecosystem.

Tree, protected: healthy native tall and small tress with a diameter at breast height of at least 12 in.

Tree, relocated: tree on a site relocated on the same site to accommodate development, or moved outside an existing or proposed building envelope.

Tree, replacement: tree planted on a property after the removal of an existing tree on the same site.

Tree, retained: tree that will not be removed, relocated, or damaged during construction or development of a site.

Vehicle, commercial: motor vehicle, trailer or semi-trailer designed or used to carry freight, passengers for a fee, equipment, tools or merchandise in the furtherance of a commercial enterprise.

Vehicle, recreational: unit designed as temporary living quarters for recreational, camping or travel use with a body width no more than 8 ft. and a body length no more than 40 ft. Units may move under their own power, or be designed to be pulled by or mounted on a motor vehicle. Recreational vehicles include motor homes, converted buses, travel trailers, camper vans, truck campers, camping trailers, houseboats, toterhomes, toy haulers, or other similar units. A recreational vehicle may or may not include a toilet and bath.

Vested development right: right to undertake and complete development and use of property.

Wainscot: covering on the lower part of a wall that is different from the rest of the wall.



Wainscot

Wall, boundary: solid masonry barrier built to enclose or screen a certain area. The term is used in a similar context as *fence*.

Wall, building: any side of the building, including the façade.

Waterway: natural or man-made channel conducting storm water from a two year storm event at a depth of 8" or more and at a rate of at least 15 cu. ft. per second or more. Street pavement is not considered a waterway.

Watershed: area from which stormwater drains into a given basin, river or creek.

Where possible: that the proposal must conform to a rule unless the applicant shows it is not physically possible because of topography, sight line rules, existing trees, utilities, drainage standards, access standards or other physical constraints.

Wetlands, category 1: wetlands with any of the following characteristics:

- Endangered or threatened species, or their habitat.
- Listing by the federal or state government as having critical or outstanding actual habitat for endangered or threatened species.
- 40% to 60% permanent open water in dispersed patches, and two or more wetland vegetation classes.
- Rare plant communities such as peat bogs.
- Wetlands at least 10 acres and having three or more wetland classes.

Wetlands, category 2: wetlands with any of the following characteristics:

- Total area of greater than 1 acre.
- Total area equal to no more than 1 acre with at least three different wetland classes.
- A forested wetland with an area of no more than 1 acre.
- Heron rookeries or nesting trees for hawks, owls or other raptors.

Wetlands, category 3: wetlands one acre or less with two or fewer wetland classes.

Wireless facility, freestanding: wireless facility incorporating an antenna with a support structure that does not screens or camouflages the presence of antennas and/or towers from public view. Examples of freestanding wireless facilities include monopoles and lattice towers.

Wireless facility, temporary: wireless facility designed for use while a permanent wireless facility or network is being designed or built, or for a special event where many people attending are wireless users.

Wireless service: telecommunications services including cellular telephone, personal communications service (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, wireless broadband Internet service (excluding Wi-Fi), and similar services.

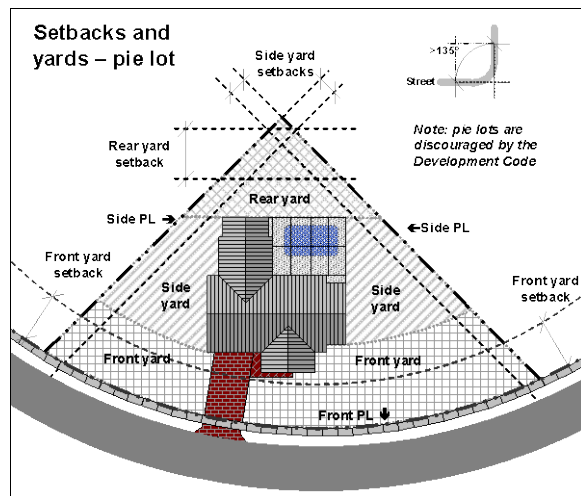
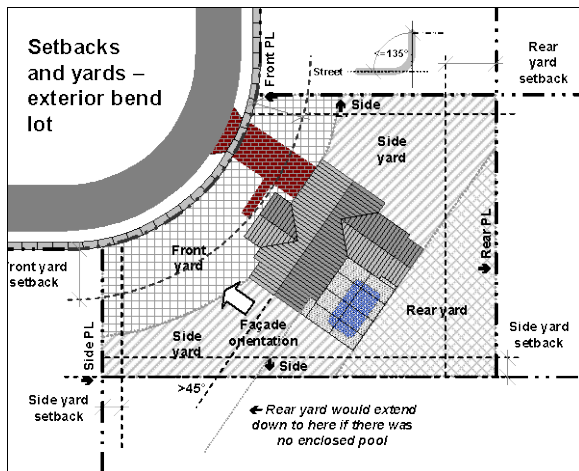
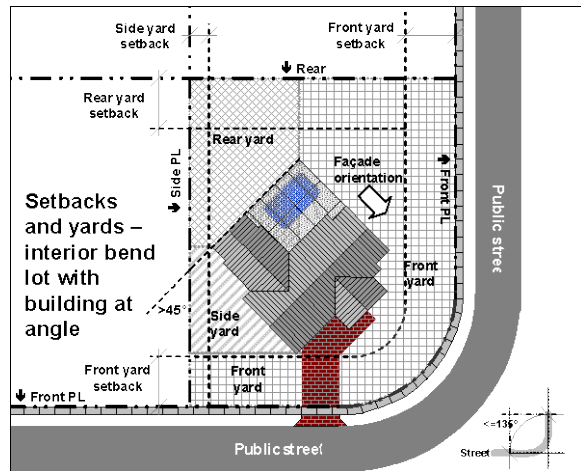
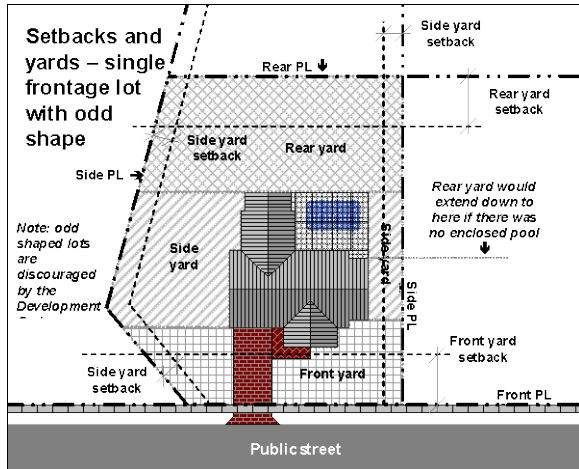
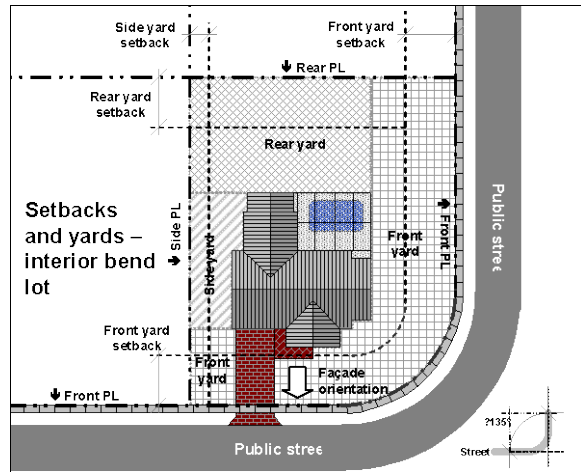
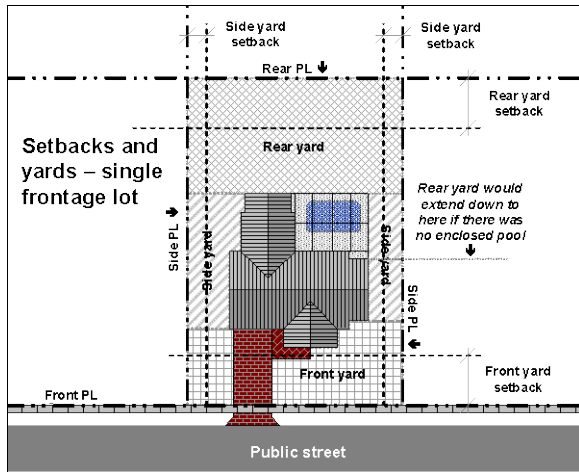
Xeriscape: plants not requiring supplemental irrigation for survival once established.

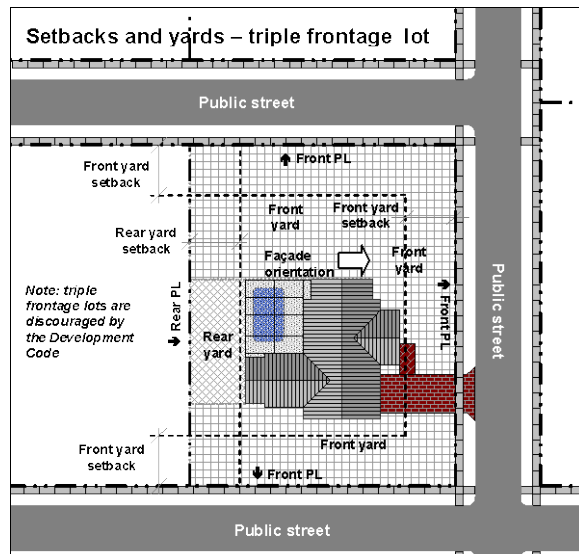
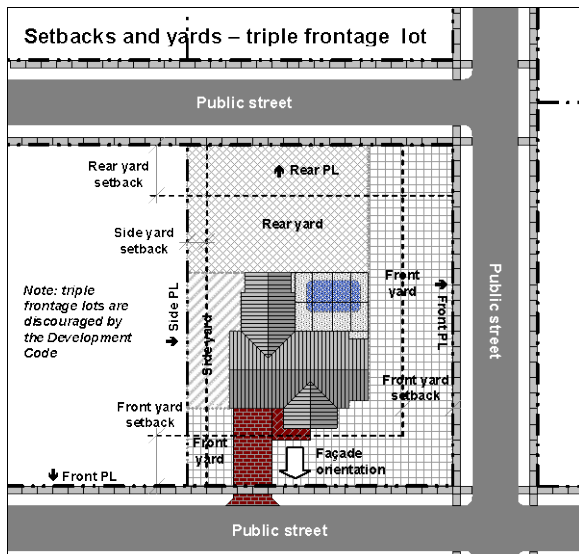
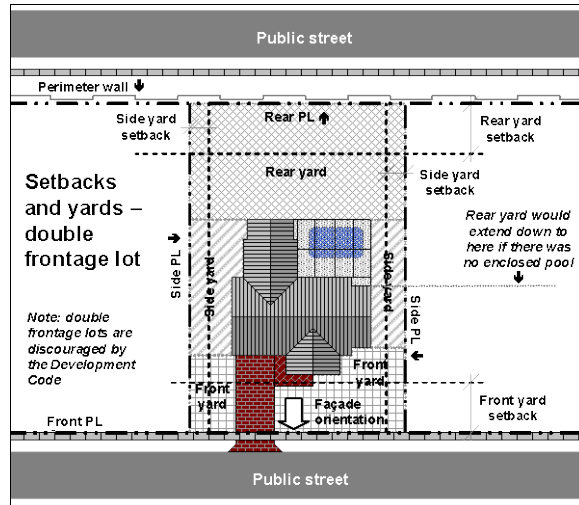
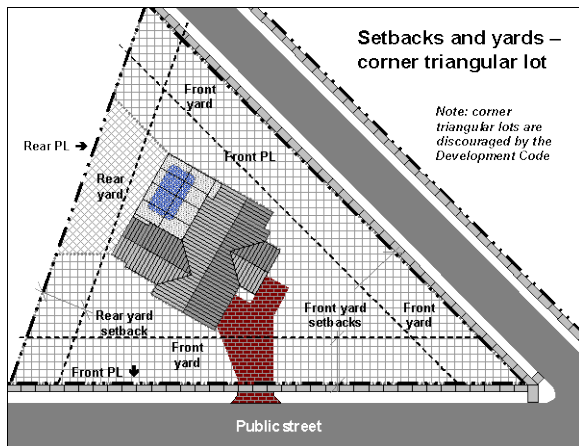
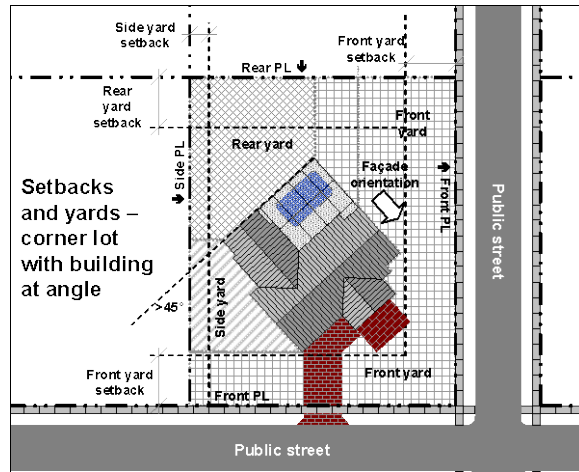
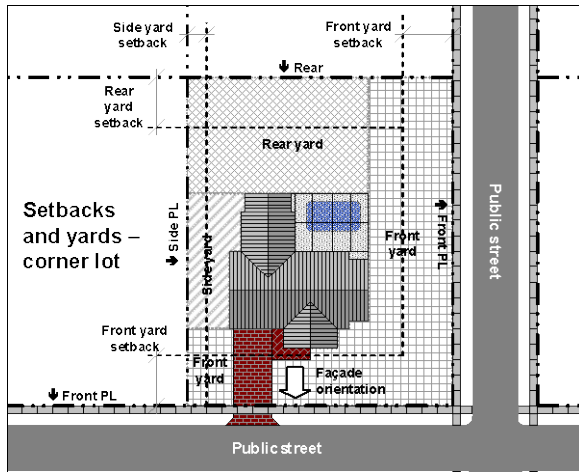
Yard: open area on a building lot along the lot lines. A yard must be unobstructed from the lowest level to the sky, except certain permitted obstructions.

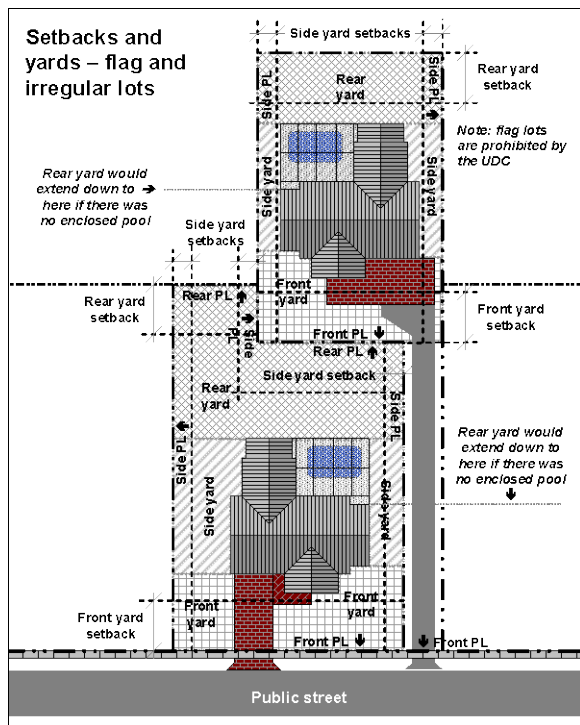
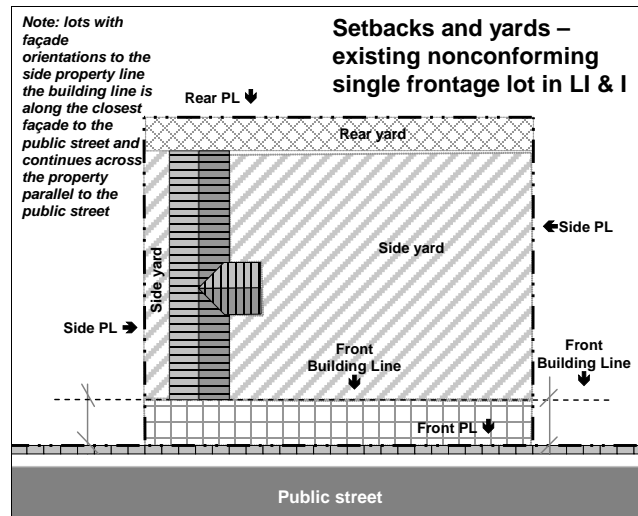
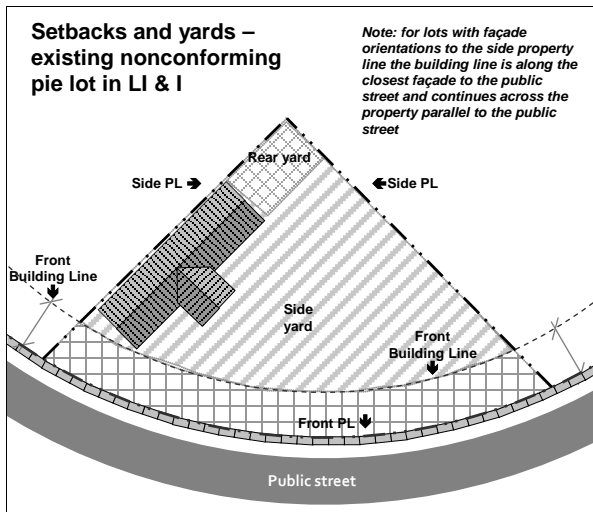
Yard, front: area on a parcel between a structure and the right-of-way or private street boundary line. For a corner lot, any yard extending along the full length of a street line is considered the front yard.

Yard, rear: area on a parcel between a structure and the property boundary opposite of the front lot line. For a corner lot, there is only one rear yard, placed to the rear of the building.

Yard, side: area on a parcel between a structure, front yard and rear yard. For a corner lot, there is only one side yard, placed to the side of the building perpendicular to the building front façade, which is next to another property and not the right-of-way or private street.







10.203 Development review process

10.203.1 Applicability

This section applies in the following areas.

Process	City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Amended plat	Yes	Yes	Yes
Annexation	No	No	Yes
Building permit and certificate of occupancy	Yes	Yes	No: Williamson County
Certificate of appropriateness	Yes: historic district	Yes: historic district	No
Demolition permit	Yes	Yes	No: Williamson County
Major subdivision	Yes	Yes	Yes
Plan amendment	Yes	Yes	Yes
Plan amendment: future land use map	Yes	Yes	Yes
Planned unit development	Yes	No	No
Plat vacation	Yes	Yes	Yes
Right-of-way construction permit	Yes	Yes	No
Right-of-way vacation	Yes	Yes	Yes
Short form subdivision	Yes	Yes	Yes
Sign permit	Yes	Yes	Yes
Site plan review	Yes	Yes: per SmartCode	No
Site plan: initial	Yes	Yes: per SmartCode	No
Special exception	Yes	No: see SmartCode	No
Street name change	Yes	Yes	Yes
UDC amendment	n/a	n/a	n/a
Variance	Yes	Yes: per SmartCode	Yes: subdivisions
Zoning map amendment	Yes	Yes	No

The following is a general review structure for this Section:

Type of: Application / Permit / Request	Planning	Engineering	Building	HPC	PZ	CC	ZBA
Administrative interpretation	Issued	Issued	Issued				A ***
Amended plat	RV/D	RV *			R	D	
Annexation	RV [†]					D	
Appeals: all						Bldg codes, CoA, Sign variance	Administrative decision and interpretations
Building code interpretation			RV/D			A	
Building plan review—residential/commercial: new construction			RV/D				
Building plan review—residential/commercial: Remodel			RV/D				
Building plan review—residential/commercial: Repair			RV/D				
Building plan review—residential/commercial: Addition			RV/D				

Type of: Application / Permit / Request	Planning	Engineering	Building	HPC	PZ	CC	ZBA
Building permit – residential/commercial: new construction (incl. inspections)			I/D				
Building permit – residential/commercial: remodel (incl. inspections)			I/D				
Building permit – residential/commercial: repair (incl. inspections)			I/D				
Building permit – residential/commercial: addition (incl. inspections)			I/D				
Certificate of appropriateness	RV		RV	D		A	
Certificate of occupancy/tenant change			I/D				
Comprehensive plan amendment	RV	RV		R ^{TT}	R	D	
Comprehensive plan land use map amendment	RV				R	D	
Conditional certificate of completion (commercial)			RV/I/D				
Delay request (waiver of rights) for plats	RV/D						
Demolition permit: residential/commercial			I/D	D **			
Development agreement	RV/D					D	
Development assessment (subdivision)	RV/D	RV					
Drainage easement vacation	RV	RV				D	
Hot tub/spa permit (incl. insp.)			D				
HUD code manufactured home permit			D				
HVAC permit			D				
Irrigation permit (incl. insp.)(landscape irrigation)			D				
Legal lot determination letter	D						
Major subdivision: prelim & final plat	RV	RV			R	D	
Minor (short form) subdivision: final plat	RV	RV			R	D	
Move-in (modular structure) permit			D				
Plat Vacation	RV	RV			R	D	
Public utility easement vacation (PUE)	RV	RV				D	
Recordation processing (final plat)	RV/D						
Right-of-way (ROW) construction permit		D					
Right-of-way (ROW) vacation	RV	RV				D	
Sign master plan	RV		RV		R	D	
Sign permit	RV		RV/D				
Site plan review (incl. inspections)	RV	RV	RV/D				
SmartCode amendment	RV				R	D	
Specific use permit (incl. amendment)	RV		RV		R	D	
Street name change	RV					D	
Subdivision improvements construction plan review & inspection		RV/I/D				Acceptance	
Subdivision plat approval extension	RV	RV			R	D	
Temporary job/construction trailer			D				
Temporary use permit			D	**			
Tree removal permit (protected trees)	RV		RV/D			D	
Variance (sign) – Sign	RV		RV		D	A	
Variance (zoning) – Site design	RV						D ***
Variance (zoning) – SmartCode	RV						D ***
Variance (subdivision) – Subdivision	RV				R	D	

Type of: Application / Permit / Request	Planning	Engineering	Building	HPC	PZ	CC	ZBA
Warrant (SmartCode) – Historic District Only	RV			D		A	
Water heater permit			I/D				
Water softener permit			I/D				
UDC amendment	RV				R	D	
Zoning change request	RV				R	D	
Zoning change request – PUD	RV	RV			R	D	
Zoning change request – SmartCode	RV	RV			R	D	
Zoning map amendment	RV				R	D	
Zoning verification letter	D						

A=Appeal D=Decision I=Inspection R=Recommendation RV=Review

* = If there are public improvements on site

** = If structure is within the 1911 historic district the HPC makes final decision

*** = Appeals to ZBA are made to District Court

† = Includes review for services by: City Engineer, Public Works, Police

†† = If amendment to Comprehensive Plan/GGP affects the Historic District

10.203.2 Amended plat

Subdivision standards are detailed in Chapter 5 (Subdivision standards).

10.203.2.1 Intent

An amended plat is required for error correction on a recorded plat, boundary changes between adjacent lots where no new lots would be created; and lot consolidation between two or more lots, where an entire plat will not be vacated.

10.203.2.2 Applicability

The amended plat process is used for the following in the city and its extraterritorial jurisdiction:

- Adjust or relocate the boundary or lot lines between one or more adjacent lots on an approved plat, where the number of lots will not increase.
- Join two or more adjacent lots on an approved plat, where the entire plat will not be vacated.
- Correct an error or omission on an approved plat.
- Show monuments set after death, disability, or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments.
- Show the proper location or character of monuments that have been changed in location, character, or shown incorrectly on an approved plat.

“Quitclaiming” land to adjacent property owners without approval through a formal subdivision review process is prohibited.

10.203.2.3 Criteria

Amended plat requests are evaluated using all the following criteria:

- New lots will not be created.
- Resulting lots will meet the required minimum lot size and lot width of the underlying zoning district. If any lots are non-conforming because they do not meet lot size or width standards, the replat cannot increase the non-conformity.
- It will not create a non-conforming setback for any existing building.
- It is not intended to “cut away” a nonconforming use from adjacent lots to increase its lifespan.
- It will not adversely affect access, drainage or utility easements or rights-of-way serving the property or other properties in the area.

- Covenants or deed restrictions for the original lots must also apply to the resultant lots and be noted on the final plat.

10.203.2.4 Process

- Refer to Development Administrative Guide.

10.203.2.5 Conditions

The Planning and Zoning Commission and/or City Council may impose conditions on an amended plat.

10.203.3 Annexation

10.203.3.1 Intent

All land in Hutto's current or future extraterritorial jurisdiction area should eventually become part of the city, so it can more effectively guide growth and regulate the quality of the built environment.

10.203.3.2 Applicability

The annexation process is used to annex unincorporated land into the city.

10.203.3.3 Criteria

Annexation and initial zoning requests are evaluated using all the following criteria:

- The request is consistent with community, neighborhood and other applicable land use and development plans.
- The property is in the extraterritorial jurisdiction (ETJ).
- The property does not have any Unified Development Code or Williamson County code violations.
- The annexation request conforms to state law.

10.203.3.4 Process

- Refer to Development Administrative Guide.

10.203.3.5 Conditions

- Development Services staff, and/or City Council may impose conditions on an annexation request, to ensure conformance to this code and any community, neighborhood and other applicable land use and development plans.
- A building permit cannot be issued for recently annexed land until initial city zoning is established.
- Initial zoning is established through a zoning map amendment (rezoning), which must be processed at the same time as the annexation request. Initial zoning must conform to the comprehensive plan. Standard rezoning fees will apply.

10.203.4 Building permit and certificate of occupancy

10.203.4.1 Purpose

A building permit is needed when an owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the IFC or ICC or to cause any such work to be done.

10.203.4.2 Applicability

A building permit application is required for any construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, and maintenance of buildings or structure except:

- Movable cases, counters, and partitions, not over 5 feet 9 inches (1,753 mm) in height.
- Painting, papering, and similar finish work.
- Temporary motion picture, television, and theater stage sets and scenery.

- Play equipment accessory to residential use, including swing sets, jungle gyms, slides and trampolines.
- Antennas and/or their supporting structures other than buildings accessory to residential use, at least 10 ft. high and below the maximum building height in the underlying zoning district.
- One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 sq. ft. (11 sq. meters).
- Fences not over 6 ft. (1,829 mm) high.
- Oil derricks.
- Retaining walls that are not over 4 ft. (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
- Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
- Sidewalks and driveways not more than 30 in. (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- Prefabricated swimming pools accessory to a group R-3 occupancy that are less than 24 in. (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
- Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- Window awnings supported by an exterior wall that do not project more than 54 in. (1,372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.

Building permit applications are also required for change of use, occupancy, tenancy, ownership or name of business for a non-residential building or tenant space.

10.203.4.3 Criteria

Building permit requests are evaluated using all the following criteria:

- The project conforms to this code, the Building Code, the Fire Code, and other applicable regulations.
- The parcel does not have any violations of this code or other applicable city or state regulations.
- A site plan was approved for the project, if applicable.
- The site is a legally platted building lot, unless site is on a lot located in the 1911 Historic District and has not been altered since the 1911 Historic District was created.

The Development Services Department may accept applications for building permits for individual lots in approved subdivisions as follows:

Footing and foundation permits for new construction will be accepted only after the following have occurred:

- Final grading of drainage easements and the installation of the stormwater drainage system is complete, and the city engineer has inspected and approved the grading and installation; and
- Construction of the street subgrade and installation of the aggregate base course, or other all-weather surface, for the street serving the project is completed and inspected and approved by the city or county engineer, and acceptable density tests for subgrade and utility trenches are submitted to and approved by the city engineer.
- Street signs are properly installed at intersections.

Full building permits for new construction will be accepted only after the following have occurred:

- Street surfacing at least through aggregate base course or plant mix bituminous base application is complete; the city engineer has inspected and approved the surfacing and density tests for applied material.
- Public water and sewer systems are completely constructed, and evidence of acceptance by the appropriate water, sewer and fire protection providers is submitted to the city engineer.

Building permits will not be issued for proposals violating proposed amendments to this code (text or maps) pending before the Commission, from time of first public notice until final disposition, up to six months from first public notice.

A building permit will not be accepted for processing on property with a valid application pending for review of a variance, special exception, site plan, rezoning, subdivision, or general development plan.

10.203.4.4 Process

- Refer to Development Administrative Guide.

10.203.4.5 Conditions

A building permit shall become invalid unless work has commenced within 180 days from issuance date, or if a CO is not issued within 2 years from the issuance date.

10.203.5 Certificate of appropriateness

Historic preservation standards are detailed in Chapter 6 (Historic preservation).

A building permit must still be obtained for projects authorized by a certificate of appropriateness.

10.203.5.1 Purpose

A certificate of appropriateness is required for certain types of alterations and changes to historic structures and sites, to help ensure historic preservation goals and objectives are being met.

10.203.5.2 Applicability

A certificate of appropriateness is required for the following changes to the exterior of a structure with designated or pending historic designation:

- Visible change to the exterior of a designated contributing structure.
- Addition to a designated contributing structure in a historic district.
- Demolition or relocation of a designated contributing structure. The Historic Preservation Commission may require the owner to conform to a salvage plan as a condition for approving a certificate of appropriateness.
- Construction of a new structure in a historic district.

Work not involving a change to material, configuration, dimension, or outward appearance will be considered in-kind repair and does not require a certificate of appropriateness.

10.203.5.3 Criteria

Certificate of appropriateness requests are evaluated using all the following criteria:

- The structure or site will be used for its historic purpose or be placed in a new use that is permitted under this code. The use will require minimal change to the defining characteristics of the structure, property, site and environment.
- The historic character of a structure or site will be kept and preserved. Removal of historic materials or alteration of features and spaces characterizing a structure or property will be avoided.
- The structure and/or site remains as a physical record of its time, place and use. Changes will not create a false sense of historical development, such as adding conjectural features or architectural elements from other structures or property.
- Most structures and property change over time; changes that acquired historic significance in their own right will be kept and preserved.
- Distinctive features, finishes and construction techniques or examples of craftsmanship characterizing a structure or property will be preserved in the limits permitted by applicable regulations.
- Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature must match the old in

design, color, texture and other visual qualities; and, where possible, materials, if they meet other applicable codes and ordinances. Replacement of missing features will be proven by documentary, physical or pictorial evidence.

- Chemical or physical treatments that could damage historic materials are prohibited. Surface cleaning of structures, if appropriate, must be undertaken using the gentlest method possible.
- New additions, exterior alterations, or related new construction will not destroy historic materials characterizing the structure or property. New work will be differentiated from the old and will be compatible with the massing, size, scale and architectural features to protect the historic integrity of the structure or property and its environment.
- New additions and adjacent or related new construction will be undertaken in a way that the essential form and integrity of the historic structure or property and its environment will be unimpaired if it is removed in the future.
- New construction taking place after demolition or removal of a structure or property in an historic district will conform to the design guidelines for the district.

10.203.5.4 Process

- Refer to Development Administrative Guide.

10.203.5.5 Approval conditions

The Historic Preservation Commission and/or City Council may impose conditions on a general development plan.

10.203.6 Demolition permit

10.203.6.1 Intent

Development Services staff will review demolition permits to ensure work will take place according to applicable rules.

10.203.6.2 Applicability

A demolition permit is required to tear down any structure.

10.203.6.3 Criteria

Demolition permit requests are evaluated using the following criteria:

- The structure or site is not designated as a historic structure by any government agency. If it is designated, it must be shown the building cannot be saved, and the demolition was authorized subject to federal, state, county or local agency processes and rules.
- The structure or site must be reviewed by the fire department for compliance with Fire Code requirements.

10.203.6.4 Process

- Refer to Development Administrative Guide.

10.203.6.5 Conditions

- Development Services staff must inspect the site before demolition starts. Utilities must be disconnected and properly capped, meter sizes notated, with utility company verification given.
- Demolition of buildings shall follow and be regulated by the Texas Asbestos Health Protection Act (TAHPA) EXCEPT single family dwelling or an apartment complex of 4 units or less that will continue to be used as a residence or apartment complex of 4 or less units.
- Hazardous materials (including asbestos) must be removed and disposed of properly. TCEQ notification is required if excessive amounts of asbestos are removed.
- Fugitive dust mitigation is required at demolition sites.
- Debris must be removed from the site and recycled or disposed at a landfill.

- A demolition permit is valid for 90 days from the time of approval. Demolition must take place over a 30 day period, or 90 days for “green demolition” where the building is carefully deconstructed and the bulk of materials are recycled and/or reused.

10.203.7 Major subdivision (requiring both preliminary and final plat)

Subdivision standards are detailed in Chapter 5 (Subdivision standards).

10.203.7.1 Intent

A major subdivision permits the division of a parcel into two or more lots and/or tracts where public improvements such as streets will be required.

10.203.7.2 Applicability

The major subdivision process is used to subdivide legal lots, if the subdivision is not eligible for the short form subdivision (minor subdivision) process in Section 10.203.14. A Subdivision Plat is required under Section 2.12.004 of the Texas Local Government Code.

10.203.7.3 Criteria

Major subdivision requests are evaluated using all the following criteria:

- The newly created parcels will meet minimum lot size standards. For uses with a significant public benefit, such as a fire station, City Council may waive the minimum lot size and minimum lot width standards if the proposed use meets minimum setbacks and sewage disposal standards.
- The newly created parcels meet minimum access standards.
- The subdivision does not “cut away” a non-conforming use from an adjacent lot to increase its lifespan.
- The subdivision is compatible with existing and permitted land uses in the surrounding area.
- The subdivision preserves and/or enhances the character of Hutto.
- A conceptual plan or preliminary plat is approved for the parcel, if applicable.

10.203.7.4 Process

- Refer to Development Administrative Guide.

10.203.7.5 Conditions

The Planning and Zoning Commission and/or City Council may impose conditions on a major subdivision.

10.203.7.6 Extension

The Planning and Zoning Commission and City Council may grant up to two 1-year extensions of the expiration date for major subdivisions.

10.203.8 Plan amendment

10.203.8.1 Intent

Community, neighborhood and other applicable land use and development plans and other plans are subject to change and revision, to reflect changing conditions in the city and region, good planning practice, and the vision of the city’s leaders and citizens.

10.203.8.2 Applicability

A plan amendment is required to change, add to or delete any part of a community, neighborhood or other applicable land use and development plan adopted by the city. A plan amendment may be requested by a property owner or representative if it is more than 12 months since they were last involved in a request before the Zoning Board of Adjustment or Planning and Zoning Commission.

10.203.8.3 Criteria

Plan amendments are evaluated using all the following criteria:

- The amendment is consistent with the comprehensive plan.
- The text, map or chart is in need of the amendment.
- The amendment is not contrary to the intent and purpose of the subject plan.
- The amendment is consistent with generally accepted principles of good planning practice.

10.203.8.4 Process

- Refer to Development Administrative Guide.

10.203.9 Plan amendment – future land use map

10.203.9.1 Intent

The future land use map designation for a parcel might not permit a use most appropriate for the site, given the goals of community, neighborhood and other applicable land use and development plans, and good land use practice, and is subject to change periodically.

10.203.9.2 Applicability

A future land use map amendment is required to consider a request to change the future land use designation of a parcel. The city may request a future land use map amendment at any time.

10.203.9.3 Criteria

Future land use map amendments are evaluated using all the following criteria:

- The proposed future land use is consistent with, and will not conflict with the goals of community, neighborhood and other applicable land use and development plans.
- The proposed future land use will not conflict with proposed, permitted or existing land uses in the future land use map or zoning map.
- There is enough physical and social infrastructure to serve the proposed future land use.
- The site and its conditions are suited for and appropriate to the proposed future land use.
- The proposed future land use does not threaten the public health, safety, and welfare.
- The proposed future land use does not create a public nuisance, or have an adverse impact on surrounding properties or the natural environment.
- The proposed future land use does not threaten scenic, natural or historic resources.
- The proposed future land use addresses a community need.
- The proposed future land use corrects a clerical or administrative error on the future land use map.
- The proposed future land use results in a logical and orderly development pattern.
- The proposed future land use is not merely intended to confer a benefit to the property owner.
- The site is a legal building lot.

10.203.9.4 Process

- Refer to Development Administrative Guide.

10.203.9.5 Conditions

The Planning and Zoning Commission and/or City Council may impose conditions on a future land use map amendment.

10.203.10 Planned Unit Development (PUD)

10.203.10.1 Intent

The Planned Unit Development (PUD) process and zoning designation allows creativity, innovation and flexibility in land use, density, site planning and design for a parcel, that would result in a project more appropriate and desirable than what would result from strict application of this code.

Applying the SmartCode to a parcel is preferred to the Planned Unit Development process.

10.203.10.2 Applicability

A PUD plan and PUD development standards are required for a parcel that will be developed as a PUD.

10.203.10.3 Criteria

PUD plans and development standards are evaluated using all the following criteria:

- The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design.
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value.
- The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design.
- The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site.
- The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience.
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation.
- The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.
- PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

10.203.10.4 Process

- Refer to Development Administrative Guide.

10.203.10.5 Approval conditions

The Planning and Zoning Commission and/or City Council may impose conditions on the PUD request.

10.203.10.6 Amendments

- Technical or engineering considerations may call for minor deviations from the approved PUD. Development Services staff may approve minor deviations if they conform to this code, and are consistent with the intent of the original PUD approval.
- Changes to approved PUD plans that Development Services staff finds are not minor deviations, including changes to density, permitted use, provision of parks and open space, and imposed conditions, require a new application and approval through the PUD process.

10.203.11 Plat vacation

Subdivision standards are detailed in Chapter 5 (Subdivision standards).

10.203.11.1 Intent

Plat vacation provides for vacation of an entire subdivision plat if development will not occur consistent with the approved plat.

10.203.11.2 Applicability

Subject to review criteria, the owner of all contiguous lots shown on a final plat of record in the city or its extraterritorial jurisdiction may request the lots be vacated resulting in a single, unplatted parcel.

10.203.11.3 Criteria

Plat vacation requests are evaluated using all the following criteria:

- It will not leave any lots without adequate utility or drainage easements.
- It will not create a landlocked parcel, or vacate street rights-of-way or access easements needed to access other property.
- It will not inhibit the provision of adequate public facilities or services to other property.
- It is consistent with community, neighborhood and other applicable land use and development plans.
- The plat vacation is requested before improvements covered by guarantees are installed.

10.203.11.4 Process

- Refer to Development Administrative Guide.

10.203.11.5 Conditions

The Planning and Zoning Commission and/or City Council may impose conditions on a plat vacation.

10.203.12 Right-of-way construction permit**10.203.12.1 Intent**

A right-of-way construction permit allows construction of certain improvements in the public right-of-way.

10.203.12.2 Applicability

A right-of-way construction permit is required for construction of improvements in the public right-of-way.

10.203.12.3 Criteria

Right-of-way construction permit requests are evaluated using all the following criteria:

- Conformance to this code and applicable building codes and design standards.
- Proof of adequate insurance coverage and provision of a performance bond, as specified in the construction specifications of the city on the date when it is granted.
- Evidence the contractor who will perform the construction meets the standards of this subsection.

The city engineer administers design and material standards for placement or replacement of pavements, curbs, gutters, sidewalks, inlets, water lines, wastewater lines or other public facility included in or disturbed by construction.

10.203.12.4 Process

- Refer to Development Administrative Guide.

10.203.12.5 Conditions

The city engineer may impose conditions on a right-of-way construction permit, including:

- Restrictions on construction timing that, in their opinion, are reasonable measures to protect the safety and convenience of the general public.
- Placement of traffic control devices that are, in their opinion, reasonable measures to protect the safety of the general public and of workers performing the construction.

An application for a public right-of-way construction permit may be denied for the following reasons, which are not subject to appeal:

- Contents of the application do not fulfill the standards outlined in this article and/or as prescribed in the city right-of-way construction policies and procedures as administered by the city engineer.
- Design and/or materials proposed for execution of the construction do not meet the City's design and construction standards.

10.203.13 Right-of-way and PUE vacation

Subdivision standards are detailed in Chapter 5 (Subdivision standards).

10.203.13.1 Intent

A right-of-way or PUE vacation permits the vacation of rights-of-way and easements that are no longer needed.

10.203.13.2 Applicability

Subject to review criteria, City Council may grant a right-of-way or easement vacation for a right-of-way or easement of record over which the City has jurisdiction. Right-of-way vacation results in a new lot configuration, and also requires an amended plat.

10.203.13.3 Criteria

Right-of-way and PUE vacation requests are evaluated using all the following criteria:

- Approval of the vacation request will not leave land adjoining the right-of-way or easement without an established public street or private access easement connecting the land with another established public street, or without utility or drainage services.
- Appropriate agencies were notified of the proposed vacation and none have objected.
- The right-of-way or easement will be divided equally between the lots on each side, unless it can be proved the entire right-of-way was originally taken from one parcel. In that case, the right-of-way or easement will be returned to that parcel. Property owners on each side of the right-of-way or easement may agree to divide the vacated right-of-way or easement differently but must sign deeds to transfer ownership after City Council approves the vacation.

10.203.13.4 Process

- Refer to Development Administrative Guide.

10.203.13.5 Conditions

- The Planning and Zoning Commission and/or City Council may impose conditions on a right-of-way or PUE vacation.
- A right-of-way vacation implies a change to the current and future land use maps of community, neighborhood and other applicable land use and development plans on the affected part of former right-of-way, with new land use designations assigned according to the rules used to interpret zoning district boundaries.

10.203.14 Short form subdivision (short form final plat, minor subdivision)

Subdivision standards are detailed in Chapter 5 (Subdivision standards).

10.203.14.1 Intent

A short form subdivision provides for timely review of proposed land division not discernibly impacting surrounding properties, environmental resources, city character or public facilities; and simple resubdivisions, lot splits, and the platting of existing development and of land proposed for site development where public improvements are not required.

10.203.14.2 Applicability

The short form subdivision process is used for the following land divisions in the city and its extraterritorial jurisdiction:

- Division of an unplatted lot into up to four lots with no improvements that would be needed, with the condition that further subdivision must be approved through the major subdivision process.

- Division of existing legal uses with separate utilities, except nonconforming uses. This process cannot be used to divide accessory uses from principal uses or create an opportunity for more principal uses.
- Divisions of land for public utilities, open space, schools or other public uses.

10.203.14.3 Criteria

Short form subdivision requests are evaluated using all the following criteria:

- No new public street will be necessary for each lot to access a public street.
- No off-site improvements to the city's infrastructure will be necessary (except division of land for public utilities, open space, schools or other public uses).
- No drainage improvements will be necessary.
- The newly created parcels will meet minimum lot size standards in the underlying zoning district. For uses resulting in a significant public benefit, City Council may waive the minimum lot size and minimum lot width standards if the proposed use meets minimum setbacks and sewage disposal standards.
- The newly-created parcels meet minimum access standards.
- Approval will not result in impacts greater than those of existing uses. Impacts from increased traffic to a public use may be offset by the public benefit derived from the use.
- The subdivision does not "cut away" a non-conforming use from an adjacent lot to increase its lifespan.

10.203.14.4 Process

- Refer to Development Administrative Guide.

10.203.14.5 Conditions

The Planning and Zoning Commission and/or City Council may impose conditions on a short form subdivision.

10.203.14.6 Extension

The Planning and Zoning Commission and City Council may grant up to two 1-year extensions of the expiration date for short-form subdivisions.

10.203.15 Sign permit

Sign standards are detailed in Section 10.410.

10.203.15.1 Intent

A sign permit ensures signs conform to this code, and provides a record of signage built in the city.

10.203.15.2 Applicability

Sign permits are required for the following types of signs in the city and extraterritorial jurisdiction:

- New permanent signs, excluding window signs.
- New development signs.
- New real estate, construction and temporary development signs at least 16 sq. ft.
- Temporary displays.
- Expansion to the face area or height, or change in the dimensions of an existing sign otherwise requiring a permit.
- Change in the location of an existing sign otherwise requiring a permit.
- Change in the logo, name or message displayed on an existing sign otherwise requiring a permit, except altering the copy on changeable copy faces.

Sign permits are not required for the following types of signs:

- Excepted signs listed in Section 10.410.4.

- Window signs.

10.203.15.3 Review criteria

Sign permit applications are evaluated using all the following criteria:

- Proposed signage conforms to this code and other applicable codes, and the underlying approved site plan if applicable.
- The parcel does not have any Unified Development Code violations.
- The site is a legal building lot.

10.203.15.4 Process

- Refer to Development Administrative Guide.

10.203.15.5 Conditions

A sign permit will not be issued for businesses or locations where any signs are displayed in violation of this ordinance, except to replace an illegal sign with a legal sign.

10.203.16 Site plan review

Site planning and architectural standards are detailed in Chapter 4 (Site design standards).

10.203.16.1 Intent

Formal site plan review ensures proposed structures, modifications and uses conform to this code, compatible with nearby properties and consistent with the spirit of any applicable plans.

10.203.16.2 Applicability

Site plan review is required for:

- New manufactured housing outside of the MH district.
- Mobile home parks.
- Multiple household development in the MF district.
- New non-residential structures, or major additions to non-residential structures, unless noted.
- Freestanding wireless facilities unless noted.
- Utility substations.
- Development perimeter walls.
- Other uses designated as requiring site plan approval.

Formal site plan review is not required for:

- New single household and two household dwellings.
- Additions to single household and two household dwellings.
- Establishment of an initial site plan for an existing multi-household or non-residential use legally established without a site plan.
- Non-habitable structures with no significant external effects on surrounding properties.
- Attached wireless facilities unless noted.
- Other projects requiring a building permit, but do not require formal site plan approval.

10.203.16.3 Criteria

Site plan requests are evaluated using all the following criteria:

- *Consistency with Unified Development Code and applicable plans.* All aspects of the proposed development are consistent with this code and spirit of any applicable plans, it would not adversely affect property near the site, and it achieves the benefits of improved design.
- *Aesthetics.* Architectural design, landscaping, and signage conform to this code and complements adjacent development.

- *Compatibility with surrounding uses.* The proposed development is compatible with the character of adjacent development uses (compatibility includes but is not limited to size, scale, mass, architectural design, landscaping, and external effects).
- *Impact on existing infrastructure and public improvements.* The proposed development does not adversely affect the city's existing infrastructure and public improvements, or that arrangements are made to mitigate impacts.
- *Internal efficiency of design.* The proposed design achieves internal efficiency for its residents and/or visitors, adequacy of recreation, public access, safety and other factors, including but not limited to storm drainage, sewer and water, grades, dust control and matters relating directly to public health and convenience.
- *Control of external effects.* The proposed development controls external effects on nearby land uses, movement and congestion of traffic, noise generated, arrangement of signs and lighting to prevent nuisances, landscaping, features to prevent littering or accumulation of trash, and other factors affecting public health, welfare, safety and convenience.
- *Adequacy of traffic and circulation plans.* Designs and efficiency of the traffic plan, vehicular and pedestrian circulation, adequacy and convenience of parking, design of streets, and linkage of collector streets to the arterials street system are adequate.
- The site is a legal building lot.

10.203.16.4 Process

- Refer to Development Administrative Guide.

10.203.16.5 Conditions

Development Services staff or the Planning and Zoning Commission may impose conditions on a site plan, to ensure conformance to this code and the SmartCode, and resolve existing violations.

10.203.16.6 Amendments

- Technical or engineering considerations may call for minor deviations from approved site plans. Development Services staff may approve minor deviations if they conform to this code, and are consistent with the intent of the original site plan approval. Deviations include minor changes in architectural façade treatments, landscaping, hardscaping, signage and other elements that do not alter the character or intensity of the development and do not affect conformance to this code.
- Changes to approved site plans not considered minor require a new application and approval through the formal site plan review process.
- Changes to existing structures and sites lawfully established without a site plan require establishment of an initial site plan.

10.203.17 Site plan: initial

Site planning and architectural standards are detailed in Chapter 4 (Site design standards).

10.203.17.1 Intent

An initial site plan establishes a site plan for a site lawfully developed without a site plan.

10.203.17.2 Applicability

An initial site plan is required when a proposed use is limited to existing structures lawfully constructed without a site plan, or when changes are proposed to structures and sites lawfully developed without a site plan.

10.203.17.3 Criteria

Initial site plan requests are evaluated using all the following criteria:

- The site must be consistent with this code, and meet the criteria for legal nonconforming uses and structures if applicable.

- The site does not have any Unified Development Code violations.
- The site is a legal building lot.

10.203.17.4 Process

- Refer to Development Administrative Guide.

10.203.17.5 Conditions

Development Services staff may impose conditions on an initial site plan, to ensure conformance to this code and the SmartCode, and resolve existing violations.

10.203.17.6 Amendments

- Development Services staff may approve minor deviations if they conform to this code, and are consistent with the intent of the original approval. Deviations include minor changes in architectural façade treatments, landscaping, hardscaping, signage and other elements that do not alter the character or intensity of the development and do not affect conformance to this code.
- Changes to approved initial site plans not considered minor deviations require approval through the formal site plan process, requiring a new application.

10.203.18 Specific use permit

Permitted use and location standards are detailed in Chapter 3 (Land use standards).

10.203.18.1 Intent

Some land uses may be appropriate in a certain zoning district or essential for providing a public service, but they require special attention to find if they will have an adverse affect on the surrounding area. Uses permitted by specific use review are not uses by right, but uses that may be approved if the applicant shows the proposed use is appropriate at a certain location.

10.203.18.2 Applicability

Specific use permit approval is required for uses this code designates as considered subject to special review in a certain zoning district. Designation of a use as a specific use permit does not guarantee a request will be approved. Expansion of a previously approved specific use permit also requires specific use permit review and approval.

10.203.18.3 Criteria

Specific use permit requests are evaluated using all the following criteria:

- The proposed use conforms to this code and is consistent with the comprehensive, neighborhood and other applicable land use and development plans.
- The proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site.
- The site is a legal building lot.

10.203.18.4 Process

- Refer to Development Administrative Guide.

10.203.18.5 Conditions

- The Planning and Zoning Commission and/or City Council may impose conditions on a specific use permit.
- Specific use permit approval does not run with the land, and expires with the end of the approved use.

10.203.18.6 Amendments

- Technical or engineering considerations during construction may call for minor deviations from approved specific use permits. Development Services staff may approve minor deviations if they conform to this code, and are consistent with the intent of the original specific use permit approval.
- Changes to approved specific use permits that Development Services staff finds are not minor deviations, including Planning and Zoning Commission imposed conditions, require approval through the specific use permit process, requiring a new application.

10.203.19 Street name change

Street naming standards are detailed in Chapter 5 (Subdivision standards).

10.203.19.1 Intent

Some street names may be confusing or inconvenient, or cannot reflect local history or values. The street name change process offers a way to update street names to improve public safety, or recognize people or events that played an important role in shaping local history.

10.203.19.2 Applicability

The street name change process is used to change the name of a public or private street.

10.203.19.3 Criteria

Street name change requests are evaluated using all the following criteria:

- The existing street name is confusing or inconvenient, or warrants change to acknowledge a person or event that played an important role in the city's history.
- The proposed street name does not duplicate or cause confusion with other street names in Williamson County and areas of Travis County in ten miles of the outer extent of the extraterritorial jurisdiction boundary.
- Williamson County 911 Addressing approved the proposed street name.

10.203.19.4 Process

- Refer to Development Administrative Guide

10.203.19.5 Conditions

The party initiating the street name request is responsible for the cost of changing street signs.

10.203.20 Unified Development Code amendment**10.203.20.1 Intent**

This code is subject to change, to stay in conformance to community, neighborhood and other applicable land use and development plans; good planning practice; and the vision of the city's leaders and citizens.

10.203.20.2 Applicability

- A Unified Development Code amendment is required to change, add or delete rules or language in this code.
- Addition of graphics, illustrations, photos and notes intended to describe and clarify concepts presented by this code does not require a formal amendment, unless they are referenced in the code body.

10.203.20.3 Criteria

Unified Development Code amendments are evaluated using all the following criteria:

- The text is in need of the amendment.
- The amendment is not contrary to the intent and purpose of the code.

- The amendment is consistent with the comprehensive, neighborhood and other applicable land use and development plans.
- The amendment reflects good contemporary planning practice.
- The amendment is integrated into the organizational structure of the code.
- The amendment is not solely intended to benefit an individual property owner.

10.203.20.4 Process

- Refer to Development Administrative Guide.

10.203.21 Variance

10.203.21.1 Intent

An exceptional condition on a parcel such as topography, shape or other physical properties may pose practical difficulty to its development. A property owner may request a variance to certain Unified Development Code standards, when there are exceptional practical difficulties or an unnecessary non-financial hardship in carrying out the strict application of a dimensional or numerical requirement.

10.203.21.2 Applicability

The Zoning Board of Adjustment may grant variances to numerical or dimensional standards in the land use standards and site design standards of this code and the SmartCode, subject to review criteria in this subsection. The Zoning Board of Adjustment may also consider appeals of Development Services staff decisions or code interpretations. City Council may grant variances to numerical or dimensional standards in the subdivision standards of this code and the SmartCode, subject to review criteria in this subsection.

10.203.21.3 Criteria

A variance may be granted if all the following findings are made.

- There are unique conditions peculiar to the parcel, such as an unusual shape, that do not exist on adjacent parcels.
- Strict application of this code deprives the applicant of rights commonly enjoyed by other land in the area or land with a similar zoning designation.
- The variance is in harmony with the spirit of this code and community, neighborhood and other applicable land use and development plans, and will not adversely affect property near the subject site.
- Conditions resulting in the request are not self-created by disregard or ignorance of this code.
- The variance does not confer special privilege that this code does not permit on other lands, structures or buildings in the same zoning district.
- The variance is the minimum necessary to grant relief.

The following types of variances will not be considered.

- Requests to permit uses normally prohibited or not specifically permitted in a zoning district, development plan, or SmartCode transect. A variance is not a substitute for a zone change, special exception approval, or UDC amendment.
- Requests to change the application of standards approved as conditions of an approved site plan, subdivision, or development plan.

Reasons that are not grounds for a variance include, but are not limited to, the following.

- Personal and/or economic hardship.
- Misrepresentation of property conditions or permitted uses by a seller or agent.
- Errors made by a surveyor, contractor or builder.
- Desire to increase visibility; or compensate for a poorly chosen, less trafficked, less accessible or less visible site.
- Accommodation of corporate, franchise, personal or cultural standards, preferences, policy or tradition.
- Lowering site development costs.

- Increasing the profit, income or competitive advantage of the applicant.
- Additional expense needed to comply with this code.
- Longevity of residence or business operation in the city, or participation in local government, civic organizations, places of worship, or charitable groups.
- Increase in property value or profit if a variance is approved, or decrease if denied.
- Promise of an increase to the city tax base if a variance is granted.
- Threats to locate or relocate outside of the city, or cancel or scale back a project, if a variance is denied.

10.203.21.4 Process

- Refer to Development Administrative Guide.

10.203.21.5 Conditions

- The Zoning Board of Adjustment may impose conditions on a variance.
- Approved variances run with the land unless there are special approval conditions.
- Variance approval does not set a precedent for future approval of similar variances.

The warrant process used in the SmartCode does not apply outside of SmartCode transects.

10.203.22 Zoning map amendment (rezoning/zoning change/zoning change request)

Zoning standards are detailed in Chapter 3 (Land Use Standards).

10.203.22.1 Intent

The zoning designation for a parcel does not always permit the most appropriate use for the site. A property owner may request a zoning map amendment, to change the zoning designation of a parcel.

10.203.22.2 Applicability

A zoning map amendment is required to consider a request to change the zoning of a parcel. A zoning map amendment may be requested by a property owner or representative if it is more than 12 months since they were last involved in a request before the Zoning Board of Adjustment or Planning and Zoning Commission.

10.203.22.3 Criteria

Zoning map amendment requests are evaluated using the following criteria:

- The proposed zoning is consistent with the comprehensive plan and any community, neighborhood and other applicable land use and development plans.
- The proposed zoning is compatible with existing and permitted uses on properties in the neighborhood.
- Conditions in the neighborhood have changed to the extent the proposed zoning is necessary.
- The proposed zoning does not have an adverse impact on surrounding properties or the natural environment.
- The proposed zoning corrects a clerical or administrative error on the zoning map.
- The proposed zoning results in a logical and orderly development pattern.
- The proposed zoning is not merely intended to confer an economic benefit to the property owner.
- The site is a legal building lot.

Rezoning of a small parcel, intended to confer a benefit to the property owner by permitting land uses not available to, and possibly incompatible with and detrimental to surrounding properties, is prohibited.

10.203.22.4 Process

- Refer to Development Administrative Guide.

10.203.22.5 Conditions

The Planning and Zoning Commission and/or City Council may impose conditions on a zoning map amendment. Conditional zoning or contract zoning, where the permitted land use for a lot is restricted to the use the rezoning was sought, is prohibited.

10.204 Vested development rights**10.204.1 Applicability**

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes

10.204.2 Effective date and expiration

Vested development right establishment and expiration dates are as follows.

Process	Date Granted	Permit Expiration
Building permit	Date of complete application submittal	180 days
Certificate of appropriateness	Date of approval by Historic Preservation Commission	180 days
Final plat	Date of approval by City Council	1 year, unless recorded, fiscal surety has been posted, and/or extension has been granted.
Preliminary plat	Date of approval by City Council	1 year, unless final plat has been filed and/or extension has been granted.
Sign permit	Date of approval by Development Services Staff	180 days
Site plan	Date of approval by Development Services staff, or Planning and Zoning Commission if appealed	1 year
Specific use permit	Date of approval by City Council	1 year
Subdivision Improvements Construction Plan	Date of approval by City Council	1 year, unless fiscal surety has been posted.
Variance	Date of approval by Zoning Board of Adjustment	1 year

If there is an amendment to the approved development request, the approval date of the original development request is considered the effective date of vesting.

10.204.3 Minor administrative amendments

Minor administrative amendments to approved plans for a development request do not create vested development rights.

10.204.4 Conceptual plans

Conceptual site plans shown on an approved PUD plan or SmartCode community scale plan, or for adjacent properties on a site plan, are considered non-binding and do not create vested development rights.

10.204.5 Nonconforming elements on plans

Elements shown on a site plan, approved PUD plan, or concept plan not conforming with the development regulations in effect when the plan was approved are considered non-binding and do not create vested development rights.

10.205 Internal review procedures

10.205.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes

10.205.2 Submittal requirements

- Refer to Development Administrative Guide.

10.206 Nonconforming uses, structures and lots

10.206.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	No; see SmartCode Section 4.6, Section 5.2.	Yes: signs only

10.206.2 General

10.206.2.1 Intent

Use and ordinary maintenance of nonconforming uses, buildings and structures may continue, subject to the provisions of this chapter. The right to maintain a nonconforming use, building or structure runs with the land and is not ended by a change in ownership. However, nonconforming uses should eventually be phased out to meet the intent of this code and underlying plans.

10.206.2.2 Nonconformance status

It is the property owner's responsibility to establish the legal nonconforming status of the use, building or structure.

Nonconforming uses are commonly called “grandfathered uses.”

A building or use can become nonconforming if:

- The zoning regulations change.
- The zoning district changes.
- The use or building was first established when the property was outside Hutto, and the property was later annexed.
- The use or building was first established before Hutto adopted zoning (1983).
- A street was widened, reducing the size of a lot or causing a structure to be closer to the right-of-way than setback standards permit.

10.206.3 Nonconforming uses

10.206.3.1 Expansion

Nonconforming nonresidential uses may only be expanded to be no more than 20% larger in gross square footage than they were when they became nonconforming.

10.206.3.2 Discontinued uses

Nonconforming nonresidential uses cannot be reestablished on the same lot if they are discontinued for 12 consecutive months, or 18 months over a three year period. A nonconforming use cannot be replaced with a different nonconforming use.

10.206.3.3 Outdoor storage

Nonconforming outdoor storage must be brought into conformance to the screening and fencing standards of this code in one year of its effective date.

10.206.4 Nonconforming buildings, structures and improvements

10.206.4.1 Alterations in both form and use

Use of a nonconforming building may be changed, and a nonconforming building may be enlarged or modified, if alterations conforms to this code, and does not expand the building's nonconforming condition. Nonconforming buildings hosting nonconforming uses cannot be enlarged or modified.

10.206.4.2 Architecture

Non-residential buildings that are nonconforming because they do not conform to Unified Development Code architectural standards must be brought into conformance to the standards to the maximum extent practicable if the gross floor area is increased by at least 20%, or the extent of proposed modifications to the building is at least 20% of its assessed valuation.

10.206.4.3 Damage

Nonconforming structures damaged or destroyed to an extent of at least 50% of their assessed valuation must be demolished or reconstructed in full conformance to this code.

10.206.4.4 Site features

Nonconforming site features including landscaping and parking must be brought into conformance to Unified Development Code standards to the maximum extent practicable if, from the date this code was adopted, the gross floor area of buildings on the site is expanded by at least 10%, or the extent of proposed modifications to the site is at least 20% of its assessed valuation.

10.206.4.5 Wireless facilities

- Adding equipment for co-locating more wireless providers on an existing nonconforming antenna tower is not considered a nonconforming use expansion, if tower height remains unchanged.

- Screening and landscaping must be brought into conformance to this code when equipment is added to a nonconforming antenna tower.

10.206.5 Nonconforming signs

10.206.5.1 General

- Nonconforming signs must be brought into conformance to this code in 90 days of an expansion of use or building enlargement.
- Development Services staff may recommend removal of nonconforming signs as an approval condition for a development or land use request.

10.206.5.2 Electronic message centers

Electronic message center displays must be reprogrammed so the displayed message is static with no animation, and changes only once every 60 seconds or more, in 30 days of this code's effective date.

10.206.5.3 Alteration

- Nonconforming signs may only be altered, changed in dimensions, moved, raised or replaced if it is brought into conformance to this code.
- Nonconforming signs cannot be altered to increase their lifespan (for example, replacement of wood poles with steel poles).

10.206.5.4 Abandoned signs

Nonconforming signs must be removed after 30 days of disuse.

10.206.6 Nonconforming and substandard lots

10.206.6.1 Development

- Legally created substandard lots not conforming to minimum size or dimensional standards may be developed for structures and uses permitted in the underlying zoning district.
- Lots not conforming to minimum size or dimensional standards created illegally or without formal city review and approval are not considered legal building lots, and cannot be developed.

10.207 Enforcement

10.207.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes

10.207.2 Enforcement methods

This code is enforced by:

- The building permit and certificate of occupancy process.
- Imposition of fines, liens and other actions, per Chapter 1 of the Code of Ordinances.
- The current adopted ICC and IFC codes.
- Inspection and ordering removal of violations, at the violator's expense.
- Criminal liability.
- Injunction.

10.207.3 Inspection

- Development Services staff may inspect any property or structure, and order the remedying of any Unified Development Code or Building Code violation.
- Work cannot proceed on any structure or parcel with a Unified Development Code or Building Code violation, except to correct the violation.

10.207.4 Criminal liability

- Any person (including, the developer of, owner of, or any person possessing, occupying or trespassing on, any property subject to this Unified Development Code, or any agent, lessee, employee, representative, successor or assign) convicted of any provision of this code is guilty of a class C misdemeanor, and must be fined under the general penalty in Section 1.01.009 of the City of Hutto Code of Ordinances, and must pay all costs and expenses involved in the case.
- Each day of a violation is considered a separate offense.
- The city may take other lawful action to prevent or remedy Unified Development Code or Building Code violations.

10.207.5 Injunction or other action

- The City Attorney, acting for City Council, may file an injunction or other action to restrain violation of this code.
- This code will not be construed to hold the city responsible for damage to persons or property by inspection, re-inspection, issue of a building permit, pursuing injunctive relief, or failure to pursue any of these actions.

10.207.6 Enforcement of standards and conditions of development approval

These actions may also subject the responsible party to enforcement action.

- Failure to conform to the site plan, landscape plan, building elevations or other approved development documents receiving final approval from the city.
- Failure to conform to conditions on the site specific development plan for the development.

10.208 Reviewing and administration parties**10.208.1 Applicability**

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes

10.208.2 Development Services staff

- Duties of Development Services staff include, but are not limited to the following:
 - Provide ethical stewardship of Hutto's built environment and unique character.
 - Administer, interpret and enforce this code, and other plans, policies and rules affecting the city's built and natural environment.
 - Serve as a case manager for development requests.

- Prepare and update the city's community, neighborhood and other applicable land use and development plans, Unified Development Code, and other planning policy and regulatory documents.
- Provide technical help about planning and land use issues to city staff and officials.
- Work with other local government agencies to promote good planning practice and cooperation in regional planning efforts, for the benefit of Hutto and its neighboring communities.
- Promote the benefits of sound land use planning to city residents.
- Other city officers and employees may help Development Services staff implement community, neighborhood and other applicable land use and development plans, and enforce this code.
- "Development Services staff" refers to the Development Services Director and/or their designee(s).

10.208.3 Planning and Zoning Commission

- Refer to City Charter.

10.208.4 Zoning Board of Adjustment

10.208.4.1 Intent

The Zoning Board of Adjustment will:

- Consider numerical variance requests for: use, site design, subdivision, SmartCode and special exceptions, subject to variance approval criteria, recommendation of Development Services staff, and state law.
- Consider administrative appeals that allege error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this code.
- Consider special exceptions to the terms of this code.
- Consider, in specific cases, a variance from the terms of this code if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of this code would result in unnecessary hardship, and so that the spirit of this code is observed and substantial justice is done.
- Consider appeals to Development Services staff's interpretation of this code.
- Consider other matters, as authorized by this code.

10.208.4.2 Organization

- City Council appoints the five Zoning Board of Adjustment members, each for a two year term.
- Board members must elect members to serve as chair and vice chair for a one year term.
- The city will designate a member of Development Services staff to act as board secretary.
- Board members must be Hutto residents, but not city employees.

10.208.4.3 Meetings and records

- The Zoning Board of Adjustment must hold regular meetings at a predefined time, or at the Chair's call for consideration of business. The Board decides meeting time, place and order of business.
- The chairman or vice chairman may administer oaths and compel the attendance of witnesses.
- Three members make a quorum
- Meetings must be posted in accordance to the Open Meetings Act and open to the public.
- Written records of meetings must be kept and made available to the public, showing its action on each case.

10.208.4.4 Initiation of requests

Development Services staff, the City Manager, City Council, and the Planning and Zoning Commission may make a request requiring Zoning Board of Adjustment consideration.

10.208.4.5 Appeals

The Zoning Board of Adjustment is a quasi-judicial body. The applicant or city may appeal decisions to the District Court.

10.208.5 Historic Preservation Commission**10.208.5.1. Intent**

The Historic Preservation Commission will:

- Adopt rules and procedures for its governance.
- Establish committees as needed.
- Consider and recommend designation of a historic district or historic landmark.
- Consider and render decisions on certificates of appropriateness and demolition requests in designated historic districts.
- Conduct and administer historic resource surveys.
- Develop public outreach/education/awareness programs.
- Recommend acquisition of endangered historic resources to City Council when necessary.
- Recommend acceptance of donations of preservation easements.
- Submit an annual report to City Council and the mayor on the status of preservation in the community and on the work of the Historic Preservation Commission.
- Recommend tax or other financial incentives to encourage preservation of historic resources.
- Prepare and promote design guidelines for historic landmark districts.

10.208.5.2. Organization

- City Council appoints the five Historic Preservation Commission members, each for a term of two years, except that initial appointments are as follows: three Historic Preservation Commission members for a two-year term, and two Historic Preservation Commission members for a one-year term. Afterwards, Historic Preservation Commission members have a two year term. Historic Preservation Commission member terms must be staggered, with three members appointed one year and two members appointed the next year.
- Board members must elect members to serve as chair and vice chair for a one year term.
- The city will designate a member of Development Services staff to act as liaison of the Historic Preservation Commission. The liaison may in an advisory capacity participate in discussions, but has no right to vote. The liaison of the Historic Preservation Commission will also serve as the local preservation officer and fulfill all duties as may be required under any certified local government agreement with the state historical commission.
- The Mayor fills vacancies, with City Council majority vote to confirm.
- Historic Preservation Commission members must be Hutto residents, but not city employees. Historic Preservation Commission members should, to the extent reasonably possible, have a demonstrated outstanding interest in the historic traditions of the city and have experience in the preservation of the historic character of the city. City Council will try, to the extent reasonably possible, to appoint members from the following categories:
 - Architect, planner or design professional; historian.
 - Licensed real estate broker/appraiser; attorney at law.
 - Archaeologist or member of a related scholarly discipline.
 - Member of Chamber of Commerce (either the Chamber president or a member designated by the Chamber president).
- Texas Secretary of the Interior *Standards for Rehabilitating Historic Buildings*, approved by the state historical commission, serves as a guideline for decisions made by the Historic Preservation Commission.

10.208.5.3. Meetings and records

- The Historic Preservation Commission must hold regular meetings at a predefined time, or at the chair's call for consideration of business. The Commission decides meeting time, place and order of business.
- Three members make a quorum.
- Meetings must be posted in accordance with the Open Meetings Act and be open to the public.

- Written records of meetings must be kept and made available to the public, showing its action on each case.

10.208.5.4. Initiation of requests

Development Services staff, the City Manager, City Council, and the Planning and Zoning Commission may make a request requiring Historic Preservation Commission consideration.

10.208.5.5. Appeals

The Historic Preservation Commission is an administrative body. The applicant or city may appeal decisions to City Council.

10.209 Interpretation

10.209.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes

10.209.2 Interpretation requests

A formal request for an interpretation of this code must be submitted in writing to Development Services staff. Development Services staff will evaluate the request, considering:

- The public purpose of the standard for which an interpretation is required.
- The impact of various proposed interpretation, permitting flexibility in design but prohibiting interpretations lowering the protection given to the public.
- The interpretation will ensure a just balance between the rights of the landowner and all others affected by that person's land use proposal.
- The interpretation would not result in any identifiable loss of protection for one group to the benefit of another.

Development Services staff may consult with other agencies before making an interpretation.

Development Services staff will maintain a record of all interpretations. Interpretations not in writing are not valid.

Interpretations do not set precedents, and are limited in their application to the property, if any, identified in the interpretation. An interpretation may be appealed to the Zoning Board of Adjustment, using the variance process described in Section 10.203.21.

10.209.3 Conflicts with other regulations

If a requirement or process in this code conflicts with another applicable local, county, state or federal law, the more restrictive standard applies.

10.209.4 Particular controls general

If a general provision conflicts with a particular provision in the same or another law, the two will be construed, if possible, so effect may be given to both. If the conflict between the two provisions is

irreconcilable, the particular provisions will prevail and be considered an exception to the general provision.

10.209.5 Metric units

10.209.5.1 Intent

This code may use both English and metric (SI) units measurements, for the convenience of those using this code who are more familiar with metric units.

10.209.5.2 Metric vs. English measurements

This code may use English measurements followed by a metric equivalent. If there is a conflict between the figures, the English measurement will control.

10.209.5.3 Rounding and precision

- Where a rule sets a minimum dimensional requirement, the metric equivalents of the English measure are rounded up.
- Where a rule sets a maximum dimensional requirement, the metric equivalents of the English measure are rounded down.
- Metric equivalent measures are rounded up or down (“hard conversion”) to avoid awkward precision not present in English units. Examples: minimum setback of 10 ft. = 3.1m (308.4 cm rounded up), maximum setback of 15 ft. = 4.6m (462.6 cm rounded down).

10.209.6 Illustrations and text

- Photos are not considered official, adopted parts of this code.
- Photos and drawings used in the printed version of this code are examples intended to explain certain design concepts. Some features shown in photos and drawings may not conform to other sections of this code. If there is a conflict of meaning or implication between the text of this code and any heading, drawing, table, figure, or illustration, the text will control.
- Images depicting a business are not considered an official endorsement.

10.209.7 Meaning of certain words

- Words used in the present tense include the future, unless the context shows otherwise.
- Words used in the singular number include the plural, and vice versa.

10.209.8 Mandatory and discretionary terms

- The words “will” and “must” are the equivalent of “shall,” and imply mandatory rules and actions.
- The word “may” in conjunction with a value or attribute implies permission to a limit; for example, “A freestanding sign may be up to five feet tall” means the same as “A freestanding sign must be five feet tall or less.” Otherwise, the word “may” is permissive.

10.209.9 Technical and lay terms

- Words and phrases will be interpreted according to the common usage of the term.
- Technical words and phrases that may have a peculiar and appropriate meaning in law, planning, and allied fields will be understood according to that meaning.

10.209.10 Lists and examples

Lists of items or examples using terms such as “including,” “such as,” or similar language are intended to provide examples, not exhaustive lists of all possibilities, unless stated.

10.210 Fees

10.210.1 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto SmartCode transect zones	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes	Yes

Development review fees are determined by separate ordinance. Fees are not refundable if a request is tabled or denied.